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# DETAIL OF FEDERAL EMPLOYEES TO INTERNATIONAL ORGANIZATIONS

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HEARING  
BEFORE THE  
COMMITTEE ON  
POST OFFICE AND CIVIL SERVICE  
HOUSE OF REPRESENTATIVES  
EIGHTY-FIFTH CONGRESS  
SECOND SESSION



ON

**S. 4004**

A BILL TO ENCOURAGE AND AUTHORIZE DETAILS AND  
TRANSFERS OF FEDERAL EMPLOYEES FOR SERVICE WITH  
INTERNATIONAL ORGANIZATIONS

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AUGUST 5, 1958

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## SUBCOMMITTEE APPOINTED TO CONSIDER S. 4004

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JAMES O. DAVIS, Georgia	ROBERT J. CORBETT, Pennsylvania
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# DETAIL OF FEDERAL EMPLOYEES TO INTERNATIONAL ORGANIZATIONS

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TUESDAY, AUGUST 5, 1958

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE COMMITTEE ON  
POST OFFICE AND CIVIL SERVICE,  
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to call, in room 215, Old House Office Building, Hon. James C. Davis presiding.

Mr. DAVIS. The subcommittee will come to order, please.

This subcommittee was appointed to consider S. 4004, a bill to encourage and to authorize details and transfers of Federal employees for service with international organizations.

(S. 4004 follows:)

[S. 4004, 85th Cong., 2d sess.]

AN ACT To encourage and authorize details and transfers of Federal employees for service with international organizations

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Employees International Organization Service Act."*

## DEFINITIONS

SEC. 2. As used in this Act—

(1) "International organization" means every public international organization or international-organization preparatory commission in which the United States Government participates.

(2) "Federal agency" means any department or agency in the executive branch of the United States Government including independent establishments and Government-owned or controlled corporations, and any employing authority in the legislative branch of the United States Government.

(3) "Employee" means any civilian appointive officer or employee in or under the executive or the legislative branch of the United States Government.

(4) "Congressional employee" means those included in the definition of that term contained in the Civil Service Retirement Act.

(5) "Transfer" means the change of position by an employee from a Federal agency to an international organization.

(6) "Detail" means the assignment or loan of an employee to an international organization without the employee's transfer from the Federal agency by which he is employed.

(7) "Reemployment" means either the reemployment of an employee pursuant to section 4 (a) (5), or the reemployment of a Congressional employee within ninety days from the date of his separation from the international organization, following a term of employment not extending beyond the period specified by the head of the Federal agency at the time of consent to transfer or, in the absence of such a specified period, not extending beyond the first three consecutive years of his entering the employ of the international organization.

## DETAILS

SEC. 3. (a) The head of any Federal agency is authorized to detail for a period not exceeding three years any employee of his department or agency to an international organization requesting services.



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(b) Any employee while so detailed shall be considered for the purpose of preserving his allowances, privileges, rights, seniority, and other benefits, to be an employee of the Federal agency from which detailed and he shall continue to receive compensation, allowances, and benefits from funds available to that agency. The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 1765 of the Revised Statutes.

(c) Details may be made under this section—

(1) without reimbursement to the United States by the international organization; or

(2) with agreement by the international organization to reimburse the United States for compensation, travel expenses, and allowances, or any part thereof, payable during the period of detail in accordance with subsections (a) and (b), and such reimbursement shall be credited to the appropriation, fund, or account utilized for paying such compensation, travel expenses, or allowances.

(d) Nothing in section 1914 of title 18, United States Code, relative to augmenting salaries of Government employees shall prevent an employee detailed under this section from being paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail.

### TRANSFERS

SEC. 4. (a) Notwithstanding the provisions of any law, Executive order, or regulation, any employee serving under a Federal appointment not limited to one year or less who transfers to an international organization is entitled to the following, if the transfer is made with the consent of the head of his agency, except that the provisions of paragraph (5) relating to reemployment rights, and the provisions of paragraph (6) relating to rates of basic compensation payable upon reemployment shall not apply to Congressional employees:

(1) To retain coverage and all rights and benefits under any system established by law for the retirement of civilian employees of the United States, if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the system's fund or depository, and for such purpose service as an officer or employee of the international organization shall be considered to be creditable service under any such system.

(2) To retain coverage and all rights and benefits under the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C., ch. 24), if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the Employees' Life Insurance Fund created by section 5 (c) of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C. 2094 (c)), and for such purpose service as an officer or employee of the international organization shall be considered to be service as an officer or employee of the United States.

(3) To retain coverage and all rights and benefits under the Federal Employees' Compensation Act, as amended (5 U. S. C., ch. 15), and for this purpose his employment with the international organization shall be deemed to be employment by the United States. However, in any case in which the injured employee, or his dependents in case of death, receives from the international organization any payment (including any allowance, gratuity, payment under an insurance policy for which the premium is wholly paid by that organization, or other benefit of any kind), on account of the same injury or death, the amount of such payments shall be credited against any benefits payable under the Federal Employees' Compensation Act as follows: (A) payments on account of injury or disability shall be credited against disability compensation payable to the injured employee; and (B) payments on account of death shall be credited against death compensation payable to dependents of the deceased employee.

(4) To elect to retain to his credit all accumulated and current accrued annual leave to which entitled at the time of transfer to an international organization which would otherwise be liquidated by a lump-sum payment. On the request of an employee at any time prior to reemployment, payment shall be made for all of the leave retained. In any case in which an employee receives a lump-sum payment and reemployment occurs within six months following the date of the transfer, such employee shall refund to the Federal agency the amount of the lump-sum payment. This subsection shall under no circumstances operate so as



to cause a forfeiture of retained leave following reemployment or to deprive an employee of any lump-sum payment to which he would otherwise be entitled.

(5) To be reemployed within thirty days of his application for reemployment in his former position or a position of like seniority, status, and pay in the agency from which he transferred, if he is separated from the international organization within three years after the date on which he entered on duty with the international organization, or within such shorter period as may be specified by the head of the Federal agency at the time of consent to transfer, and he applies for reemployment not later than ninety days after the separation.

(6) Upon reemployment, to the rate of basic compensation to which he would be entitled had he remained in the Federal service. Upon reemployment, the sick leave account of the employee shall be restored by credit or charge to its status at the time he left the Federal service; and the period of separation caused by his employment with the international organization and the period necessary to effect reemployment shall be considered creditable service for all appropriate Federal employment purposes.

(b) During the employee's period of service with the international organization, the agency contribution for retirement and insurance purposes may be made from the appropriations or funds of the Federal agency from which the employee transferred.

(c) All computations under this Act prior to reemployment shall be made in the same manner as if the employee had received basic compensation (or basic compensation plus additional compensation in the case of a congressional employee) at the rate at which it would have been payable had the employee continued in the position in which he was serving at the time of his transfer.

(d) The provisions of this section shall apply only with respect to so much of any period of employment with an international organization as does not exceed three years or such shorter period as may be specified by the head of the Federal agency from which the employee is transferred at the time of consent to transfer, except that for retirement and insurance purposes this section shall continue to apply during the period in which a congressional employee is effecting or could effect a reemployment or an employee other than a congressional employee is properly exercising or could exercise the reemployment right established by subsection (a) (5). During that reemployment period, the employee shall be considered to be on leave without pay for retirement and insurance purposes.

#### REGULATIONS

SEC. 5. The President is authorized to prescribe the necessary rules and regulations to carry out the provisions of this Act and to protect and assure the retirement, insurance, leave, and reemployment rights and such other similar Federal employment rights as he may find appropriate. These regulations may provide for the exclusion of employees from coverage hereunder on the basis of the nature and type of employment such as, but not limited to, excepted appointments of a confidential or policy-determining character, or conditions pertaining to the employment such as, but not limited to, short-term appointments, seasonal or intermittent employment, and part-time employment.

#### EFFECTIVE DATE

SEC. 6. This Act shall take effect on the date of its enactment except that any present employee of an international organization who entered on duty with the organization by transfer under Executive Order 9721 of May 10, 1946, as amended by Executive Order 10103 of February 1, 1950, or under the International Atomic Energy Agency Participation Act of 1957, not earlier than three years prior to the date of enactment, may elect to have coverage hereunder for the remainder of the three-year term if the head of the Federal agency from which he transferred consents to that coverage.

#### REPEAL PROVISION

SEC. 7. Section 6 (a) of the International Atomic Energy Agency Participation Act of 1957 (22 U. S. C. 2025 (a) ), is repealed except that it shall be considered to remain in effect with respect to any employee subject thereto who is serving as an employee of the International Atomic Energy Agency on the date of enactment of this Act and who does not make the election referred to in section 6, and for the purposes of any rights and benefits vested thereunder prior to such date.

Passed the Senate July 21, 1958.

Attest:

FELTON M. JOHNSTON, *Secretary.*

Mr. DAVIS. The members of the subcommittee appointed to consider S. 4004 are Edward J. Robeson, Jr., Robert J. Corbett, and myself. Due to Mr. Robeson's absence from the city, I will serve as chairman.

This legislation is based on an official recommendation of the Secretary of State. The bill under consideration passed the Senate July 21, 1958.

S. 4004 provides authority to detail Federal employees to international organizations and to transfer Federal employees to such organizations with retention of certain Federal rights. These rights, as I understand, are: Full Federal retirement and life insurance coverage if payments are made; Compensation Act coverage; earning of service credit; and an option to retain accumulated leave to the employee's credit. In addition, Federal employees, except congressional employees, are given a right of reemployment. Under the bill, assignments in an international organization would be temporary in nature and could not exceed 3 years in duration.

We are pleased to have Hon. Francis Wilcox, Assistant Secretary of State for International Organization Affairs, as well as other representatives from the Department of State, Civil Service Commission, and the General Accounting Office.

Mr. Wilcox.

**STATEMENT OF HON. FRANCIS WILCOX, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS; ACCOMPANIED BY ROBERT E. STUFFLEBEAM, SPECIAL ASSISTANT TO ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS**

Mr. WILCOX. Thank you very much, Mr. Chairman.

I have a statement, Mr. Chairman, which I think will take about 6 minutes, and perhaps in order to keep the record straight, it might be well, with your permission, to read that statement.

Mr. DAVIS. Very well, sir.

Mr. WILCOX. Mr. Chairman, I appreciate very much the opportunity which the committee has given me to appear today in behalf of S. 4004, a bill to encourage and authorize details and transfers of Federal employees for service with international organizations.

As the committee knows, the United States participates in more than 40 international organizations—and plays a leading role in many of them. Currently, for example, this Government is making an annual contribution of about \$129 million to the United Nations, the United Nations specialized agencies like the World Health Organization, the Food and Agriculture Organization, the International Labor Organization, and the other international bodies to which the United States belongs. It is natural, therefore, that this participation include an active interest in the number and the caliber of Americans serving with these organizations.

With regard to the employment of Americans, in the last few years most international agencies have encountered increasing difficulty in recruiting United States citizens for secretariat and technical assistance professional positions. Although there are a variety of reasons for this difficulty, one of the main reasons is that international agency



salaries no longer are as attractive to Americans as they once were. These salaries are, however, attractive to nationals of most other countries, with the result that international agencies normally have little trouble in employing non-Americans. In this respect the United States is put at a competitive disadvantage that must be overcome.

I should explain that the facilities of many international agencies, especially those whose headquarters are located overseas, are inadequate to do an effective recruitment job in the United States where a tight labor market still prevails in the type of trained professional specialist being sought. Since recruitment help is needed, I believe it is very much in the national interest for this help to be provided by the Federal Government.

The Government has already taken a number of steps to assist international agencies in their recruitment efforts. One of the most important steps, however, is to assure that the well-trained specialists in the Federal service are available for short periods of employment. For the Federal service, as a source of personnel, offers the double advantage of providing competent staff members as well as returning to the Federal Government employees with broadened experience in the international field. And I should add, this type of experience is becoming increasingly necessary and valuable as more and more Federal agencies engage in backstopping the technical work carried on by international organizations.

An examination of the ways of making more Federal personnel available to international agencies has indicated that the existing machinery requires improvement in two major respects. First, general authority is needed to permit the detail of employees to international organizations, such details usually being for purposes of short assignments on specialized problems. Secondly, with regard to transfers to international agencies, there is a need to protect Federal employment rights and benefits that now are lost or only partially protected under the present transfer procedure. When it was found that this additional authority would for the most part involve statutory rather than regulatory changes, the Department of State with the help of the Civil Service Commission drafted the proposed legislation you are considering here today.

The proposed bill would grant authority to Federal agency heads to detail employees to international organizations, 1 of the 2 primary needs which I mentioned a moment ago. The second need, that of protecting Federal employment rights and benefits of employees who transfer to these organizations for temporary service, would be met in the bill in the following ways. An employee transferring with the approval of his agency head would be permitted full Federal retirement and life insurance coverage if proper payments are made; Compensation Act coverage; earning of service credit; and an option to retain accumulated leave to the employee's credit. In addition, employees who are not congressional employees would be given a right of reemployment. None of these provisions, however, would extend beyond a maximum period of 3 years of service in an international organization.

The transfer provisions I have mentioned are similar in principle to those authorized last year by the Congress in section 6 of the International Atomic Energy Agency Participation Act of 1957 (Public Law 85-177). However, as the provisions in this 1957 Act are

restricted to transfers to only one agency, the International Atomic Energy Agency, this proposed bill, S. 4004, covers international organizations generally.

An appropriation of additional funds would not be required to carry out the provisions of the proposed bill. One potential cost to the Government would be the expense of the employer share of Federal retirement and life insurance coverage, but it is expected that this expense will be eliminated if satisfactory arrangements can be made with international agencies to take over these payments, and additional explorations indicate that such arrangements can be made.

As to the effect of the proposed bill in terms of numbers of Federal personnel, it is estimated that in any given year not more than 40 to 60 employees would transfer to international organizations; an additional 40 to 50 employees might be expected to be detailed. The majority of those either transferred or detailed would be for relatively short-term technical assistance assignments.

In summary, I believe the proposed bill would provide an effective means of assuring that more, and especially well-qualified, American personnel serve with international organizations in which the United States participates. At the same time I believe that the proposed bill would make its contribution to a strong career civil service system by increasing the opportunities for Federal employees to acquire international experience.

Thank you, Mr. Chairman.

Mr. DAVIS. Thank you, Mr. Secretary.

To what degree are we now detailing Federal employees to international organizations, as to first, the number of employees, and second, the number of different international organizations?

Mr. WILCOX. I have a few charts, Mr. Chairman, which will show the statistical breakdown.

While we are waiting for this other chart, Mr. Chairman, this chart shows, by 5-year periods, the increased contribution that we are making to international organizations in 1935, 1940, etc. For example, in 1945 we were contributing \$2 million while in 1958 we are contributing \$129 million.

Mr. DAVIS. Is that the total sum for all purposes contributed to international organizations?

Mr. WILCOX. Yes, sir; that is our total contribution.

Here on this chart are the American professional employment figures in 1953 as compared to 1958, the people that are hired in the secretariats of the United Nations and other specialized agencies. It shows as between 1953 to 1958 in the U. N. proper the American employment percentage remained stable at about 27 percent; in the Food and Agricultural Organization Americans represented 21 percent of the total professionals in 1953 compared with 15 percent in 1958; in the World Health Organization we had 19 percent in 1953 as compared with 15 percent in 1958.

Mr. DAVIS. You are speaking now of 1958?

Mr. WILCOX. Yes, sir. These are 1953 compared with 1958.

Mr. DAVIS. The 15 percent that you have just mentioned in the 1958 figure in FAO and WHO?

Mr. WILCOX. Yes, sir. If you will notice, and I will not take time to indicate all the figures, the figures show that in almost all cases you have a decline in the percentage. This is the thing that disturbs



us, first, because there is not quite the same glow of enthusiasm toward working in the international organizations that there was in the beginning, and secondly the problem of recruitment is difficult in this country because the salary scales are higher in the United States than those paid by international organizations; and there is less of an inducement for Americans, therefore, to go to these agencies.

In the International Labor Organization, for example, we have only 27 Americans, which represents about 7 percent of the total professionals.

Mr. DAVIS. Are you referring to all employees now or just to professional and technical people?

Mr. WILCOX. Professional. I am not thinking of the caretakers, janitorial service or personnel of that type.

Mr. DAVIS. Clerks and stenographers?

Mr. WILCOX. Just the professionals.

Mr. DAVIS. How has the percentage with reference to those employees remained? Has it been pretty stable or has it been up and down?

Mr. WILCOX. In the United Nations proper, in New York, of course we have a good many of the clerical and service people because they are recruited usually at the site of the organization.

Mr. DAVIS. Do you know if that percentage of those employees is up or down?

Mr. STUFFLEBEAM. In the United Nations they remain fairly stable, but as Mr. Wilcox indicated, in organizations whose headquarters are located overseas, the local employment practice prevails, where the international agency uses local wage rates, et cetera, which are quite unattractive to American personnel.

Furthermore, no arrangement is made for paying transportation from the United States to the worksite, and as a consequence clerical employment for American secretaries, et cetera, is attractive only to someone who happens to be resident in the country for some other reason.

Mr. DAVIS. Is that percentage down the same way that the professional employee's percentage is down?

Mr. STUFFLEBEAM. It is down in international agencies located overseas. But there is an understandable reason; namely, the practice of international agencies, for economy purposes, to hire locally and at local wage rates unattractive to American clerical personnel.

Mr. DAVIS. I would like at this point, to ask you to supply for the record the percentage of employment in these various organizations, clerical employees and others, that we have been talking about.

Mr. STUFFLEBEAM. Yes, sir.

(The information follows:)

#### STATEMENT RELATIVE TO NONPROFESSIONAL AMERICAN PERSONNEL IN INTERNATIONAL ORGANIZATIONS

(Supplied by the Department of State)

Virtually all international organizations appoint professional personnel on the basis, first, of competency of the individual for the position, and secondly, on the basis of having on their staffs as wide a geographic representation of nationals from member countries as possible.

This practice of intentionally wide geographic distribution of professional personnel is not followed with regard to nonprofessional clerical, service, and custodial personnel. Regulations of the U. N. and its specialized agencies require

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nonprofessional personnel to be appointed from among the local population in the area where the international organization has its headquarters or other activity. Locally prevailing wage rates are paid such personnel, and this fact, plus the avoidance of travel costs, reduces operational expenses. (The practice is similar in principle to the way the Department of State employs "locals" to perform certain clerical and custodial tasks in United States embassies and consular offices overseas.)

Because travel expenses are not paid (except in unusual cases) and because local wage rates at most overseas locations are substantially lower than those paid for nonprofessional work in the United States, employment of this kind in international agencies outside of this country is generally unattractive to United States citizens—even to those who may live in the area. Therefore, very few Americans are working as secretaries, messengers, guards, etc., in such agencies as the World Health Organization in Geneva, for example.

International organizations having headquarters or major installations in this country do, of course, pay salaries at rates prevailing here. Thus, in such organizations located in the United States a sizable number of nonprofessional personnel are United States citizens.

Although statistics are not readily available on the number of American nonprofessional personnel employed by international agencies, the following figures which are available may serve to illustrate the points made above and are believed to be generally representative of the nonprofessional employment situation:

	Number of nonprofessional personnel		
	Total	United States	Percent United States
Certain international agencies located in United States: <sup>1</sup>			
United Nations Headquarters (New York).....	2 1,688	996	59
International Bank for Reconstruction and Development (Washington).....	324	139	43
International Monetary Fund (Washington).....	215	110	51
Certain International Agencies Located Overseas <sup>2</sup>			
United Nations Educational, Scientific and Cultural Organization (Paris).....	611	9	1
International Labor Organization (Geneva).....	448	4	1

<sup>1</sup> Figures as of June 30, 1958.

<sup>2</sup> Does not include laborers and similar manual workers, the majority of whom are Americans.

<sup>3</sup> These figures are as of approximately December 1957 and represent estimates based on the only fragmentary statistics readily available.

Mr. WILCOX. Most of these organizations, with the exception of the U. N. proper, are located abroad, the FAO in Rome, WHO in Geneva, UNESCO in Paris, and so forth.

Mr. DAVIS. I would like to ask you this question: Who in our Government determines which international organization we participate with in these programs? I refer to specialists and professional employees.

Mr. WILCOX. That decision is made by the Department of State, in collaboration with the other interested agencies of the Government, and with the Congress. In all of these cases that I have listed here, the Congress has approved a participation act, which authorized our Government to appoint delegations and to assist in meeting the expenditures that are incurred by the international organization in its operation.

Mr. DAVIS. Is that in one act or in a number of acts?

Mr. WILCOX. It is in a number of acts. Our participation in each of those agencies is authorized by an act of Congress.

Mr. DAVIS. Mr. Corbett.

Mr. CORBETT. I wonder if the gentleman has read Mr. Campbell's recommendations regarding possible amendments and clarification of the bill.



Mr. STUFFLEBEAM. No.

Mr. CORBETT. I have them here. If you have not seen them I would not expect an answer immediately.

The second thing I would like to know, Mr. Wilcox, is what urgency is there for this bill at this time?

Mr. WILCOX. Mr. Corbett, we have been especially concerned about this problem for 2 or 3 years. We have become more concerned, frankly, because the Soviet Union has taken an increased interest in these specialized agencies. They have, in the past, rather scoffed at some of them, like the UNESCO, and the ILO. They have not participated in them for the most part. In the last 2 or 3 years, they have adopted a new policy of either returning to these agencies, or to join them. Since they contribute a rather sizable share of the budget, they are entitled to a certain number of employees on the staffs of these organizations.

Up until recent years, I think the Soviet Union has been short of technical assistance and technical experts and professional people. That shortage is now being taken care of and there are indications that they are going to be pressing their demands for the employment of Soviet citizens in some of these agencies.

I think it is very much in our national interest to see to it, to make every arrangement we can, to see to it that good, substantial Americans, with an American point of view, are in the secretariats of these organizations.

Mr. CORBETT. Suppose this subcommittee reports it. At our next executive session, August 7, members of the full committee are going to want to know why we did not put this off until January 1959. The leadership is going to want to know why we have to do this now.

I am asking you to help us answer that question. I understand your answer at this point.

Mr. WILCOX. I think there is urgency attached to this program. The Congress, every year, for the last 2 years at least, has asked us what we are doing to encourage the recruitment of able Americans in these organizations—the House Appropriations Committee, the Senate Appropriations Committee, the Foreign Affairs Committee, and the Senate Foreign Relations Committee have all taken a deep interest in this problem. This is one way we think the Congress can be of concrete assistance in meeting a problem which they have expressed a very deep interest in.

It is a very practical way that Congress can assert its partnership in meeting this problem.

Mr. CORBETT. Mr. Stufflebeam?

Mr. STUFFLEBEAM. Mr. Corbett, we have not seen this GAO statement before, nor has the Civil Service Commission, apparently, so I wonder if we might comment, for the record, on whatever the suggestions are in here.

Mr. CORBETT. I think we will have to have that if we are going to have a clarification of our situation at this point.

Mr. DAVIS. You may prepare a comment for the record.

Mr. STUFFLEBEAM. Yes, sir.

Mr. DAVIS. Are you suggesting that you submit that for the record, or do you want to talk about it now?

Mr. STUFFLEBEAM. The comments with regard to this statement?

Mr. DAVIS. Yes.

Mr. STUFFLEBEAM. I think it would be preferable if we had a chance to study these over carefully, unless you would prefer for us to read them very rapidly and try to make comments now.

Mr. CORBETT. Mr. Campbell is here; is he not?

Mr. Campbell. Yes, sir.

Mr. CORBETT. I wonder, Mr. Campbell, if we could, at this point, find out whether or not these recommendations ought to be incorporated in the record. Maybe we ought to have it now.

Mr. DAVIS. Will you be seated, Mr. Campbell, and briefly state your suggestions?

# **STATEMENT OF JAMES CAMPBELL, LEGISLATIVE ATTORNEY, GENERAL ACCOUNTING OFFICE**

Mr. CAMPBELL. Yes, Mr. Chairman.

Mr. DAVIS. We will then have them all together.

Mr. CAMPBELL. I am with the General Counsel's office and with me is Mr. John Martiny, legislative attorney, Office of Legislative Liaison.

The Honorable Francis Wilcox has demonstrated the need for the legislation. We do not have any special facts with regard to the need, and therefore we make no recommendation on the merits of the bill. We do have 2 or 3 technical suggestions, some of which I think could be clarified by explanations in the committee report.

The first of these in the bill authorizes details for periods not in excess of 3 years. However, there is nothing in the bill to indicate the intent of Congress as to whether these details may be made successively, one after another. For instance, a man could be detailed for 3 years, brought back, and the next day redetailed to the same organization. If that practice were permitted under the bill, then a man could be continued in a detailed status indefinitely, there being no limitation in the bill itself.

I think that is a point which could be clarified in a report of the committee, without the necessity for changing the language of the bill itself.

Mr. DAVIS. What is your thought about that, Mr. Wilcox?

Mr. WILCOX. Mr. Chairman, we would be perfectly agreeable to that. It was not or would not be the intent of the executive branch to follow this practice. A detail or a transfer would be for a period not to exceed 3 years and we certainly wouldn't expect to redetail or retransfer immediately after the individual came back to the executive branch. We would be perfectly agreeable to anything the committee wanted to put in its report on that point.

Mr. CAMPBELL. I was thinking there would arise occasions where a man would be particularly suited for a job and the agency would want to redetail him, with perhaps some time interval between details. You may want to insert a provision to the effect that the total time served on detail in any consecutive period should not exceed so many years. That might be one way of doing it.

Mr. DAVIS. Well, proceed to the next one, Mr. Campbell.

Mr. CAMPBELL. The next comment we had was one involving 18 United States Code 1914. That is a criminal statute which prohibits outside sources from making contributions or supplements to an employee's salary. It prohibits the employee from accepting supplements to his salary from an outside source.



This bill carves out an exception to that statute. In the training act, which was recently passed for Federal employees, a similar exception was included.

Mr. CORBETT. The exception here would only apply to possible payments into retirement funds?

Mr. CAMPBELL. No. What I am thinking about is this: A man may be detailed to an international organization on a nonreimbursable basis, the Government paying his salary, travel expenses, and whatever appropriate allowances he may be receiving while serving in a foreign area. Then the international organization may want to make a contribution to the man to supplement or to cover some of those expenses.

In our training bill, we had a comparable situation with respect to employees who were receiving training in non-Government facilities, where a foundation or a non-Government facility wanted to supplement the employee's expenses. A provision was included in that bill which said that where the Government is paying these expenses and the outside agency comes in and makes a contribution, that the amount the Government pays the employee shall be reduced by the amount of the contribution made by the outside source.

We thought perhaps that your committee may wish to consider such an amendment to this bill. If you did want to do that, it would require an amendment to the bill itself.

Mr. CORBETT. Of course, while that is a safeguard, the possibility of that happening from one of these agencies is not very great; is it?

Mr. CAMPBELL. I wouldn't think it would be nearly as great as it would in the case of a private organization.

Mr. DAVIS. I wouldn't be in favor of letting a foundation make a donation anyway. They would immediately try to brainwash him for the particular program they were promoting.

Mr. CAMPBELL. The third comment we have is purely technical. We feel that this may be taken care of by language in the report.

Mr. DAVIS. Mr. Wilcox?

Mr. WILCOX. That is paragraph 3, Mr. Chairman?

Mr. DAVIS. Yes, sir. Do you have any comment on that?

Mr. WILCOX. On paragraph 2?

Mr. DAVIS. Either one.

Mr. WILCOX. On paragraph 2 I think I am quite in agreement with Mr. Corbett's comments. I doubt if anything in the report is needed under the circumstances. I think agreement would be reached with agencies as to who would take care of any expenses that would be involved. There would be no duplication or overlaps in this respect.

With respect to paragraph 3, I haven't heard an explanation yet.

Mr. CAMPBELL. I haven't made that one yet.

That is purely a technical matter.

We note that the language of section 4 (a) of the bill:

this subsection shall under no circumstances operate so as to cause a forfeiture of retained leave following reemployment or to deprive an employee of any lump-sum payment to which he would otherwise be entitled.

Actually, the legal liability which would be imposed by a man requiring a forfeiture of leave or a reduced lump-sum leave payment would be imposed by the Lump-Sum Leave Payment Act of 1944, or by the Annual and Sick Leave Act of 1951. It is true that the circumstances giving rise to the operation of these provisions in the

Lump-Sum Leave Act or the Annual Leave and Sick Leave Act would arise by reason of this subsection.

It might be well, at least, to point out that it is not the subsection itself, in most cases, that would give rise to that, but the action taken by an employee under the subsection.

The subsection permits an employee when he transfers to an international organization, to elect to retain to his credit the annual leave. If I give you an example it might be better.

A man may have a right to accumulated leave of 30 days. That is the leave that he can carry over from 1 leave year to another. He may transfer to an international organization in November, at which time he may have to his credit not only the 30 days, which he may carry over, but another 20 days that he has earned during the year, of 18 days he has earned during the year.

This act would permit him to retain, not only the 30 days, but the 18 days, and that amount could be credited to him upon his return to his Government position.

The Annual and Sick Leave Act permits a man to accumulate only 30 days. That is, he may carry from one leave year to another only 30 days of leave. This man's election under this act to keep his leave to his credit would in effect put him in a position so that he may be subject to that provision in the Leave Act, if he remains in the international organization past the end of the leave year. The obvious intent of this section is to allow him to have that leave restored to his credit so that he would not lose any, and so that when he finally receives a lump-sum payment for it he would receive a lump-sum payment for that amount.

As I view this section, I do not believe that we should put a man in any better position than he would have been in if he had not made the transfer at all.

Now if this employee were permitted to be reccredited with the entire amount of that leave, and in effect that leave which was reccredited upon his transfer were allowed to remain to his credit, he would get a new accumulated base. When he came back with his leave for the next year it would not be based on a 30-day ceiling but he would have 30 days plus 18 or 20 days which would be his new accumulated balance. I don't believe the act was intended to go that far.

Mr. WILCOX. Mr. Chairman, I agree that if there is a problem of this kind, it would be well to clarify the matter. You comment here that you trust the committee, in the report, would clearly set forth its intent insofar as this section of the bill is concerned.

Mr. CAMPBELL. Yes.

Mr. WILCOX. I would certainly agree that that would be desirable. I think generally speaking we do not have in mind that employees would be better off with respect to leave than they would be if they remained in the Federal service.

Mr. DAVIS. You think reference in the committee report would take care of it?

Mr. WILCOX. I think it would.

Mr. CAMPBELL. I think it would.

Mr. CORBETT. There is no reason why the employee could not use up his leave over 30 days before he took his assignment.

Mr. CAMPBELL. That is right.



Mr. DAVIS. Pass on to the next one, please.

Mr. CAMPBELL. The last one is one I believe to be relatively insignificant. We are thinking here about a situation where an employee may want to make application for reemployment after service in an international organization, 30 days or 29 days before the date he is separated from the international organization. If this is permitted under the bill, then the day following separation would be the day that the agency would have to rehire him. We just wanted to make sure whether that was the intent or whether it was the intent that the employee would be entitled to be rehired by the Federal agency, within 30 days of his application or, 30 days from the date he is separated from the international organization, whichever is the longer.

Mr. DAVIS. What is your comment on that, Mr. Wilcox?

Mr. WILCOX. Mr. Chairman, I would like to have Mr. Ruediger from the Civil Service Commission comment on that, if you will permit.

#### STATEMENT OF KARL RUEDIGER, OFFICE OF GENERAL COUNSEL, CIVIL SERVICE COMMISSION

Mr. RUEDIGER. Our intent is to give him 90 days in which to apply for reemployment, and then the agency has 30 days in which to reemploy him.

Mr. CORBETT. Following the date of application or following the date of separation?

Mr. RUEDIGER. The date of application.

Mr. CORBETT. Mr. Chairman, I think that is the more fair way to do this, because people that are traveling pretty close to the break even point on their budget can experience a very gruesome expense with these 30- or 90-day separations.

Mr. RUEDIGER. Yes.

Mr. CAMPBELL. My only point is: May he submit the application for reemployment prior to separation from the international organization?

Mr. RUEDIGER. Yes, sir.

Mr. CAMPBELL. It is perfectly all right with me. I just wanted to make sure what the intent was.

Mr. DAVIS. Mr. Bray wants to ask a question.

Mr. BRAY. My question might be directed to the Department of State or to the GAO, but under this provision if a man transfers to an international organization who pays the Government's share of the retirement, life insurance, and compensation coverage? Is the international organization obligated to do that?

Mr. CAMPBELL. No. The bill requires the Government's share may be paid by the Federal agency, although I think it is contemplated by framers of the bill that in many cases agreements will be reached with the international organizations to bear that burden; isn't that so?

Mr. WILCOX. It is contemplated, Mr. Chairman. Initial discussions have indicated that arrangements can be made. We obviously could not make those arrangements prior to the passage of the legislation, but we have discussed the matter informally and there is every indication that we can expect cooperation from the agencies on this point.

## 14 DETAIL OF EMPLOYEES TO INTERNATIONAL ORGANIZATIONS

Mr. DAVIS. That clears up, then, the matters that you referred to.

Mr. CAMPBELL. Yes, sir. I might request, Mr. Chairman, if it is possible, to have this statement included in the record.

Mr. DAVIS. Your statement will be placed in the record in full.

(Mr. Campbell's prepared statement follows:)

### PREPARED STATEMENT OF JAMES CAMPBELL, LEGISLATIVE ATTORNEY, GENERAL ACCOUNTING OFFICE

Mr. Chairman and members of the subcommittee: The apparent purpose of S. 4004 is to encourage greater American representation on international organization staffs by personnel having Government experience. As an inducement the bill would provide substantial benefits to Government employees who are on detail with international organizations or who, with the consent of the agency in which employed, transfer from their Government positions to positions under international organizations. We have no special information concerning the extent of the need for the bill and its enactment will not affect our primary statutory functions and responsibilities. Therefore we offer no recommendation upon its merits.

We may say, however, that we did report to the Bureau of the Budget on a proposed bill which was similar to S. 4004 prior to the time that S. 4004 was introduced in the Senate. We note that certain of our suggestions to the Bureau of the Budget appear to have been incorporated in the present draft of S. 4004.

There are certain technical matters which we should like to invite to the attention of your committee for such consideration as they may warrant.

(1) We note that section 3 (a) of the bill authorizes details for a period not exceeding 3 years. We should think you may wish to make it clear, either in the language of the bill itself or in the report of your committee, whether an agency may, following the completion of an employee's detail, again detail the employee to the same international organization. If this practice is permitted under the bill, an agency by a series of details—none of which exceeds 3 years—could retain an employee on detail with an international organization indefinitely. A similar practice could arise in transfer cases.

(2) Under the section 3 (d), an employee detailed to an international organization may be paid allowances or reimbursed expenses by the international organization to which detailed, even though he is receiving a per diem allowance for traveling expenses from the agency by which employed. In circumstances where the international organization does reimburse or pay the employee, your committee may wish to prevent the employee from receiving additional reimbursement from the agency. This could be done by requiring appropriate deductions from the amount he receives from his Government agency covering the same expenses for which he is reimbursed by the international organization. Compare the provision in section 19 (c) of the Government Employees Training Act, Public Law 85-507, which was enacted this year.

(3) We recommend deletion of the language, "which would otherwise be liquidated by a lump-sum payment," appearing in section 4 (a) (4) of the bill. This is deemed necessary because current accrued annual leave is not normally liquidated in a lump-sum leave payment. No amount in excess of the employee's maximum accumulation limitation under section 203 (c) of the Annual and Sick Leave Act of 1951 may be liquidated in a lump-sum leave payment.

We note also that this same section of the bill—section 4 (a) (4)—contains the following language:

"This subsection shall under no circumstances operate so as to cause a forfeiture of retained leave following reemployment or to deprive an employee of any lump-sum payment to which he would otherwise be entitled."

Section 203 (c) of the Annual and Sick Leave Act of 1951 contains the limitation on the amount of annual leave that may be accumulated by any employee and the lump-sum leave payment act of December 21, 1944, as amended by section 4 (a) of the act of July 2, 1953, Public Law 102, provides that no lump-sum payment shall exceed compensation for any period of such leave in excess of 30 days or the number of days carried over to the credit of an employee at the beginning of the leave year in which entitlement to payment occurs. Those provisions therefore, rather than section 4 (a) (4) of this act, impose the legal liability which might operate to cause a forfeiture of leave and a reduced lump-sum payment in a case where an employee exercises the options authorized under section 4 (a) (4). Also, a question arises under section 4 (a) (4) concerning the



length of time an employee is to be protected against leave forfeiture. It may be that, after reemployment with his Government agency, the employee has sufficient time within the leave year to use the current accrued leave to his credit in excess of the amount that may be added to his annual leave accumulation that is carried forward to the next leave year. In such a case, there appears to be little reason for excepting the employee from the operation of the annual leave ceilings. We trust your committee in its report on S. 4004 will clearly set forth its intent insofar as this section of the bill is concerned.

(4) Section 4 (a) (5) entitles an employee who transferred to an international organization to be reemployed in his former position or position of like seniority, status, and pay in his agency within 30 days of his application for reemployment, provided the other requirements of the statute for eligibility for reemployment are complied with. This subsection is not clear concerning the time within which reemployment must be effected in a case where the employee, prior to separation from the international organization, files application for reemployment with his former agency. It may be that you would wish to require reemployment within 30 days from date of application or 30 days from separation from the international organization, whichever is later.

Mr. Chairman, this concludes my comments on S. 4004.

Mr. DAVIS. Thank you, gentlemen.

All right, Mr. Ruediger.

Mr. RUEDIGER. Sir, I will read this if you want, or if you would rather not hear me read it, I think each of you gentlemen has a copy of it.

Mr. CORBETT. I would suggest we make the statement part of the record at this point, and you add whatever comments you will.

(Mr. Ruediger's prepared statement follows:)

PREPARED STATEMENT OF KARL RUEDIGER, OFFICE OF GENERAL COUNSEL, CIVIL SERVICE COMMISSION

The United States Civil Service Commission endorses the purpose of S. 4004, and approves of the proposed method of implementation.

Our Civil Service Commission believes that it is in the interest of the United States to encourage Federal employees to serve with international organizations for specified periods such as the bill provides. The primary benefit to the Federal Government will result from the presence of qualified American employees on the staffs of international organizations. In addition, when these employees are reemployed in the Federal service, the United States will gain a secondary benefit from the training and the experience that they will have obtained with the international organization.

The Commission is satisfied that the provisions of S. 4004 will protect the basic rights and benefits of Federal employees who serve with international organizations under authority of the bill. In effect, the protections provided by the bill are the same as though the employee retained his status with the Federal Government during his approved period of service with the international organization. The number of Federal employees who will be called upon for service with international organizations under the bill will be quite small in any one-year period. However, in the few instances in which such an employee dies or is injured during that service, the benefits to his family will be significant. In the absence of legislation of this type, the employee's family is without the protections that they had while serving with the Federal Government.

In conclusion, it is important to emphasize that S. 4004 is a bill to protect the rights of employees of the United States who transfer to international organizations. The bill does not authorize the transfer of employees of international organizations to the Federal Government. The bill has no bearing on employees of international organizations, whether foreign or American, who did not obtain that employment by transfer from a Federal position under the bill. Under these circumstances, the Commission considers the bill to be worthwhile personnel legislation.

Mr. RUEDIGER. I have nothing to add, sir. I will answer any questions, if you think there are any from the Civil Service Commission's point of view.

Mr. CORBETT. Am I correct that the Civil Service Commission believes this would be wholesome personnel legislation?

Mr. RUEDIGER. Yes, sir. We believe it will work the way it is drafted and achieve the purpose of the bill.

Mr. DAVIS. Thank you very much.

Are there any further comments, Mr. Wilcox?

Mr. WILCOX. No. We appreciate your taking time in these hectic days to hear our presentation.

Mr. DAVIS. Thank you, gentlemen, for coming over.

The meeting will stand adjourned.

(Whereupon, at 10:45 a. m., the subcommittee adjourned, subject to call of the Chair.)

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LEGISLATIVE HISTORY  
Public Law 85-795  
S. 4004

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## Index and Summary of S. 4004

June 12, 1958	Senator Johnston introduced S. 4004 which was referred to the Senate Post Office and Civil Service Committee. Print of bill.
July 1, 1958	Senate committee ordered S. 4004 reported
July 14, 1958	Senate committee reported S. 4004 with amendment. Print of bill and Senate Report No. 1836.
July 21, 1958	Senate passed S. 4004 as reported.
July 22, 1958	S. 4004 referred to House Post Office and Civil Service Committee.
Aug. 5, 1958	House subcommittee ordered S. 4004 reported.
Aug. 7, 1958	House committee reported S. 4004 without amendment. Print of bill and House Report No. 2509.
Aug. 18, 1958	House passed S. 4004 without amendment.
Aug. 28, 1958	Approved: Public Law 85-795.

HEARING: House Post Office and Civil Service  
Committee on S. 4004; August 5, 1958.





## DIGEST OF PUBLIC LAW 85-795

TRANSFERS TO INTERNATIONAL ORGANIZATIONS. Authorizes the detail or transfer of Federal employees to international organizations for periods not exceeding 3 years. Details may be on either a reimbursable or nonreimbursable basis. Provides that employees transferred shall retain Federal retirement and life insurance coverage if proper payments are made, coverage under the Federal Employees Compensation Act, retention of accumulated annual leave, and other specified rights and privileges. Provides reemployment rights for employees who transfer. Authorizes the President to prescribe rules and regulations to carry out the provisions of the Act. Provides that this Act shall be effective on the date of its enactment.









1 or under the executive branch of the United States Gov-  
2 ernment and any civilian officer or employee of the General  
3 Accounting Office and the Library of Congress.

4 "Transfer" means the change of position by an employee  
5 from a United States Government department or agency to  
6 an international organization.

7 "Detail" means the assignment or loan of an employee  
8 to an international organization without the employee's  
9 transfer from his Federal employing agency.

10 DETAILS

11 SEC. 301. (a) The head of any United States Govern-  
12 ment department or agency is authorized to detail for a  
13 period not exceeding three years any employee of his depart-  
14 ment or agency to an international organization requesting  
15 services.

16 (b) Any employee while so detailed shall be considered  
17 for the purpose of preserving his allowances, privileges,  
18 rights, seniority, and other benefits, to be an employee of  
19 the Government department or agency from which detailed,  
20 and he shall continue to receive compensation, allowances,  
21 and benefits from funds available to that department or  
22 agency. The authorization of such allowances and other  
23 benefits and the payment thereof out of any appropriations  
24 available therefor shall be considered as meeting all the re-  
25 quirements of section 1765 of the Revised Statutes.



1 (c) Details may be made under this section—

2 (1) without reimbursement to the United States by  
3 the international organization; or

4 (2) with agreement by the international organiza-  
5 tion to reimburse the United States for compensation,  
6 travel expenses, and allowances, or any part thereof,  
7 payable during the period of detail in accordance with  
8 subsection 301 (a) and 301 (b), and such reimburse-  
9 ment shall be credited to the appropriation, fund, or  
10 account utilized for paying such compensation, travel  
11 expenses, or allowances.

12 (d) Nothing in section 1914 of title 18, United States  
13 Code, relative to augmenting salaries of Government em-  
14 ployees shall prevent an employee detailed under this sec-  
15 tion from being paid or reimbursed by an international or-  
16 ganization for allowances or expenses incurred in the per-  
17 formance of duties required by the detail.

#### 18 TRANSFERS

19 SEC. 401. (a) Notwithstanding the provisions of any  
20 law, Executive order, or regulation, any employee serving  
21 under a Federal appointment not limited to one year or less  
22 who transfers to an international organization is entitled to  
23 the following, if the transfer is made with the consent of the  
24 head of his department or agency and is for a period of  
25 employment not exceeding three years after the date on

1 which the employee enters on duty with the international  
2 organization, or a lesser period specified by the head of the  
3 department or agency at the time of the consent to transfer:

4 (1) To retain coverage and all rights and benefits under  
5 any system established by law for the retirement of civilian  
6 employees of the United States, if all necessary employee  
7 deductions and agency contributions in payment for such  
8 coverage, rights, and benefits for the period of employment  
9 with the international organization are currently deposited  
10 in the system's fund or depository.

11 (2) To retain coverage and all rights and benefits under  
12 the Federal Employees' Group Life Insurance Act of 1954,  
13 as amended (5 U. S. C., ch. 24), if all necessary employee  
14 deductions and agency contributions in payment for such  
15 coverage, rights, and benefits for the period of employment  
16 with the international organization are currently deposited  
17 in the Employees' Life Insurance Fund created by section 5  
18 (c) of the Federal Employees' Group Life Insurance Act  
19 of 1954, as amended (5 U. S. C. 2094 (c)).

20 (3) To retain coverage and all rights and benefits under  
21 the Federal Employees' Compensation Act, as amended,  
22 (5 U. S. C., ch. 15), and for this purpose, his employment  
23 with the international organization shall be deemed to be  
24 employment by the United States. However, in any case  
25 in which the injured employee, or his dependents in case of

1 death, receives from the international organization any pay-  
2 ment (including any allowance, gratuity, payment under an  
3 insurance policy for which the premium is wholly paid  
4 by that organization, or other benefit of any kind), on ac-  
5 count of the same injury or death, the amount of such pay-  
6 ments shall be credited against any benefits payable under  
7 the Federal Employees' Compensation Act as follows: (A)  
8 payments on account of injury or disability shall be credited  
9 against disability compensation payable to the injured em-  
10 ployee; and (B) payments on account of death shall be  
11 credited against death compensation payable to dependents  
12 of the deceased employee.

13 (4) To elect to retain to his credit all accumulated and  
14 current accrued annual leave to which entitled at the time  
15 of transfer to an international organization which would  
16 otherwise be liquidated by a lump-sum payment. On the  
17 request of an employee at any time prior to reemployment  
18 pursuant to section 401 (a) (5), payments shall be made  
19 for all of the leave retained. This subsection shall under no  
20 circumstances operate so as to deprive an employee of any  
21 lump-sum payment to which he would otherwise be entitled,  
22 or to cause a forfeiture of retained leave following restora-  
23 tion pursuant to section 401 (a) (5).

24 (5) To be reemployed within thirty days of his appli-



1 cation for reemployment in his former position or a position  
2 of like seniority, status, and pay in the department or agency  
3 from which he transferred, if he is separated from the in-  
4 ternational organization within the period of employment  
5 specified by the head of his department or agency at the  
6 time of consent to transfer or, in the absence of such a  
7 specified period, within three years after the date on which  
8 he entered on duty with the international organization,  
9 and he applies for reemployment not later than ninety days  
10 after the separation.

11 (6) Upon reemployment pursuant to section 401 (a)  
12 (5), to the rate of basic compensation to which he would  
13 be entitled had he remained in the Federal service. Upon  
14 such reemployment, the sick leave account of the employee  
15 shall be restored by credit or charge to its status at the  
16 time he left the Federal service; and the period of separa-  
17 tion caused by his employment with the international organ-  
18 ization and the exercise of his legal reemployment right shall  
19 be considered creditable service for all appropriate Federal  
20 employment purposes.

21 (b) During the employee's period of service with the  
22 international organization, the agency contribution for re-  
23 tirement and insurance purposes may be made from the  
24 appropriations or funds of the department or agency from  
25 which the employee transferred.

1 (c) All computations under this Act prior to reemploy-  
2 ment shall be made in the same manner as if the rate of  
3 basic compensation received by the employee on his last  
4 day of Federal service had continued without change.

5 (d) The provisions of this section may apply no longer  
6 than the period of employment specified by the head of the  
7 department or agency at the time of consent to transfer or, in  
8 the absence of such a specified period, no longer than three  
9 years after the date on which the employee enters on duty  
10 with the international organization, except that for retire-  
11 ment and insurance purposes the section shall continue to  
12 apply during the period in which the employee is properly  
13 exercising or could exercise the reemployment right estab-  
14 lished by subsection 401 (a) (5). During that reemploy-  
15 ment period, the employee is considered on leave without  
16 pay for retirement and insurance purposes.

17 REGULATIONS

18 SEC. 501. The President is authorized to prescribe the  
19 necessary rules and regulations to carry out the provisions  
20 of this Act and to protect and assure the retirement, insur-  
21 ance, leave, and reemployment rights and such other similar  
22 Federal employment rights as he may find appropriate.  
23 These regulations may provide for the exclusion of employees  
24 from coverage hereunder on the basis of the nature and type  
25 of employment such as, but not limited to, excepted appoint-

1 ments of a confidential or policy-determining character, or  
2 conditions pertaining to the employment such as, but not  
3 limited to, short-term appointments, seasonal or intermittent  
4 employment, and part-time employment.

5 EFFECTIVE DATE

6 SEC. 601. This Act shall take effect on the date of its  
7 enactment except that any present employee of an inter-  
8 national organization who entered on duty with the organi-  
9 zation from an executive branch position by transfer under  
10 Executive Order 9721 of May 10, 1946, as amended by  
11 Executive Order 10103 of February 1, 1950, or under the  
12 International Atomic Energy Agency Participation Act of  
13 1957, not earlier than three years prior to the date of  
14 enactment, may elect to have coverage hereunder for the  
15 remainder of the three-year term if the head of the Federal  
16 department or agency from which he transferred consents to  
17 that coverage.

18 REPEAL PROVISION

19 SEC. 701. Section 6 (a) of the International Atomic  
20 Energy Agency Participation Act of 1957 (22 U. S. C.  
21 2025 (a) ), is repealed except with respect to any rights and  
22 benefits vested by that section prior to the effective date of  
23 this Act.









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# A BILL

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To encourage and authorize details and transfers of Federal employees for service with international organizations.

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By Mr. JOHNSTON of South Carolina

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JUNE 12, 1958

Read twice and referred to the Committee on Post  
Office and Civil Service







July 1, 1958

Senate conferees were appointed (p. 11615). House conferees have not been appointed.

14. CIVIL DEFENSE. Passed without amendment H. R. 12827, to extend the standby emergency authorities of the Federal Civil Defense Administration until June 30, 1962. A similar bill, S. 4602, was indefinitely postponed. This bill will now be sent to the President. p. 11581
15. WEATHER CONTROL. Concurred in the House amendments to S. 86, to authorize a weather modification research program under the direction of the National Science Foundation. This bill will now be sent to the President. pp. 11581-4
16. GRAIN STANDARDS. Concurred in the House amendments to S. 2007, to amend the Grain Standards Act to permit the collection of charges to reimburse the Department for overtime, travel, and certain other costs in connection with handling inspection appeals. This bill will now be sent to the President. pp. 11626-7
17. APPROPRIATIONS. Passed as reported H. R. 12948, the D. C. appropriation bill for 1959. pp. 11584-9
18. TRADE AGREEMENTS. Sens. Sparkman and Watkins discussed the state of the textile industry, import competition, and the President's letter to House Speaker Martin in 1955 promising to administer the Reciprocal Trade Agreements Program to benefit the American economy and not jeopardize any industry. pp. 11617-18
19. PERSONNEL. The Post Office and Civil Service Committee ordered reported S. 4004, to encourage the transfer of Federal employees for service with International organizations, and H. Con. Res. 175, to establish a code of ethics for Government personnel. p. D620
20. STATEHOOD. Sen. Smith, N. J., commended passage of the Alaska statehood bill. p. 11559  
Sens. Church and Neuberger commended the efforts of certain Alaskans in the passage of the Alaskan statehood bill. pp. 11627-9  
Sen. Watkins urged statehood for Hawaii. p. 11629
21. FLORAL EMBLEM. Sen. Douglas urged adoption of the golden corn tassel as the national floral emblem, read a poem, "Columbia's Emblem," and inserted an article on the importance of corn in America. pp. 11562-3
22. MINERALS. S. 3817, to provide stabilization payments to mineral producers, remained the Senate's unfinished business. pp. 11587, 11589, 11616, 11626.
23. LEGISLATIVE PROGRAM. Sen. Mansfield stated that S. 3916, to extend for 2 years provisions of the Shipping Act of 1916 relating to dual rate contract arrangements, would be considered Wed. or Thurs. (p. 11629).

#### ITEMS IN APPENDIX

24. ELECTRIFICATION. Sen. Sparkman inserted an article describing the headway TVA has made in the repayment of funds advanced by Congress for various projects. pp. A5957-8

25. LANDS. Extension of remarks of Sen. Neuberger urging immediate passage of legislation for the orderly disposal of Klamath Indian lands, and inserting an article on this subject. pp. A5961-2
26. NATIONAL FLOWER. Rep. McIntosh inserted his statement in support of H. J. Res. 625, to designate the rose as our national flower. p. A5969
27. LAW. Rep. Lane inserted a AFL-CIO and a Railway Labor Executives' Ass'n letter opposing the passage of H. R. 3, to establish rules of interpretation governing questions of the effect of Acts of Congress on State laws. pp. A5970, A5972-3
28. STATEHOOD. Extension of remarks of Rep. Broomfield expressing "great pleasure" over the approval of statehood for Alaska. p. A5971
29. PRICE SUPPORTS. Extension of remarks of Rep. Johnson, Wis., commending and inserting an article, "Who Gets Government Subsidies?" and stating that "it goes into some detail to point out that many, many costs laid at the feet of the Nation's farmers are actually for programs which benefit all of us such as the forestry service; the school lunch; and milk program; ..." pp. A5981-2

#### BILLS INTRODUCED

30. PROPERTY. S. 4089, by Sen. Kerr (for himself and Sen. Monroney), to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to libraries which are tax supported or publicly owned and operated; to Government Operations Committee.  
H. R. 13230, by Rep. Dawson, Ill. (by request), to amend the Federal Property and Administrative Services Act of 1949, as amended, to promote the utilization of excess property and to simplify the reimbursement procedure for transfers of such property; to Government Operations Committee.
31. PROCEDURE. S. 4094, by Sen. Ervin (for himself and Sen. Butler), to recodify, with certain amendments thereto, chapter 19 of title 5 of the United States Code, "Administrative Procedure"; to Judiciary Committee.
32. BUILDINGS. H. R. 13231, by Rep. Ikard, to provide for the erection of a Federal and Post Office Building in Denton, Tex.; to Public Works Committee.
33. FLOOD CONTROL. H. R. 13236, by Rep. Byrne, Ill., to authorize the Secretary of the Army to conduct a flood control survey of the Stoney Creek watershed, Ill.; to Public Works Committee.
34. FORESTS. H. R. 13238, by Rep. Dixon, providing for the reconveyance to Salt Lake City, Utah, of the Forest Service fire warehouse lot in that city; to Agriculture Committee.
35. LANDS. H. R. 13251, by Rep. Miller, Neb., to provide that certain penalty charges against lands on Federal reclamation projects shall be nonreimbursable; to Interior and Insular Affairs Committee.
36. FOOD ADDITIVES. H. R. 13254, by Rep. Williams, Miss., to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety; to Interstate and Foreign Commerce Committee.









# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued July 15, 1958  
For actions of July 14, 1958  
85th-2d, No. 117

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HIGHLIGHTS: House Committee reported measure to establish Hall of Fame for Agriculture.

SENATE *July 14, 1958*

1. PERSONNEL. The Post Office and Civil Service Committee reported with amendment S. 4004, to encourage and authorize details and transfers of Federal employees for service with international organizations (S. Rept. 1836). p. 12341
2. FOREIGN AID. The Banking and Currency Committee reported with amendment (on July 12, by special order) S. Res. 264, urging the establishment of an International Development Ass'n (S. Rept. 1832) (p. 12339). Sens. Kennedy, Neuberger, Morse, Church, and Humphrey were added as cosponsors of the bill (p. 12342).
3. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 13066, the Legislative branch appropriation bill for 1959 (S. Rept. 1835). p. 12341
4. FORESTS. The Interior and Insular Affairs Committee ordered reported S. 3923, to add certain public lands in Calif. to the Cleveland National Forest. p. D673
5. NOMINATIONS. The Public Works Committee reported the nominations of Frank James Welch and Arnold R. Jones to be members of the Board of Directors of TVA. p. 12341

6. HUMANE SLAUGHTER. Sen. Humphrey inserted an editorial, "Humane Slaughter Run-around," criticizing the Senate Agriculture Committee's action in approving an amended bill providing for a study of humane slaughter instead of adopting the House-passed bill. p. 12375
  7. PERSONNEL ETHICS. Sen. Humphrey inserted a speech by Gov. Freeman of Minn., on "Ethics in Government," and an editorial commending the speech. pp. 12376-9
  8. ELECTRIFICATION. Sen. Thye inserted several articles on the new atomic reactor power plant to be built in Elk River, Minn., discussing the future of the project, and commending the Rural Cooperative Power Ass'n which is to run the power plant when constructed. pp. 12391-5
  9. TRADE AGREEMENTS. Sen. Malone urged the Senate not to renew the Reciprocal Trade Agreements Act, and inserted various items in support of his position. pp. 12439-41
  10. STATEHOOD. Sen. Goldwater inserted an interview with Alaska Gov. Stepovich on the future of Alaska. pp. 12354-6  
Sen. Neuberger discussed the efforts of Oregonians for Alaskan statehood, and inserted articles and editorials on this point. pp. 12356-8  
Sen. Murray inserted his statement favoring Alaskan statehood. pp. 12373-4  
Sen. Watkins urged Hawaiian statehood and inserted several editorials and an article supporting immediate statehood for Hawaii. pp. 12441-4  
Received a resolution of the Puerto Rican House of Representatives congratulating Alaska upon passage of legislation for statehood, and commending Congress for this action. p. 12340
  11. FARM PROGRAM. Sen. Murray inserted resolutions of the Mont. State AFL-CIO convention, urging a food stamp plan, a Federal program to stabilize farm income and family farming, and urging local unions to work for legislation to insure agricultural stability. p. 12341
  12. PROPERTY. Sen. Humphrey inserted a resolution of the Nat'l Ass'n of Attorneys General favoring enactment of S. 3937, to facilitate the discovery and recovery of unclaimed personal property in the custody of Federal agencies. pp. 12340-1
  13. WATER CONSERVATION. Both Houses received from the Interior Department a report that the Santa Ynez River Water Conservation District, Calif., had applied for a Small Reclamation Projects Act loan for \$3.8 million. pp. 12340, 12527  
Sen. Watkins pointed to the importance of conserving water resources, and inserted an editorial, "The Dams Pay Off," on the value of reservoir water in the current dry spell. p. 12441
  14. SOIL CONSERVATION. Sen. Ellender inserted a La. Legislature resolution commending the existing soil conservation districts, and opposing efforts to destroy them (which the resolution contended was the aim of an organization called FARM). p. 12340
  15. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the Senate would call the consent calendar Tues., July 15. p. 12339
- HOUSE
16. AGRICULTURE HALL OF FAME. The Agriculture Committee reported with amendment H. Con. Res. 295, endorsing plans of a non-government group to establish a Hall of Fame for Agriculture (H. Rept. 2153). p. 12527



## TRANSFER OF FEDERAL EMPLOYEES TO INTERNATIONAL ORGANIZATIONS

JULY 14, 1958.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, submitted the following

### R E P O R T

[To accompany S. 4004]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 4004), to encourage and authorize the detail and transfer of Federal employees for service with international organizations, having considered the same, report favorably thereon with an amendment, and recommend that the bill, as amended, do pass.

#### AMENDMENT

The committee amendment strikes out all of the bill after the enacting clause and substitutes new language. The purpose of the amendment is to make technical changes that do not alter the original objectives of the bill.

#### GENERAL STATEMENT

The United States participates in a large number of international organizations. These include the United Nations; specialized agencies of the United Nations like the World Health Organization, the Food and Agriculture Organization, the International Labor Organization; and other international bodies, such as the Organization of American States, the Intergovernmental Committee for European Migration, etc. Since this participation involves a substantial financial contribution, it is logical that the United States Government take an active interest in the number and the caliber of Americans serving with international agencies to which the United States belongs.

The Department of State has stated to the committee that most international organizations have experienced increasing difficulty in recent years in recruiting a sufficient number of American specialists for secretariat and technical assistance positions. There are various reasons for this difficulty, but chief among them is the fact that inter-



national agency salary scales are not as attractive to Americans as they once were.

As there is a somewhat downward trend in the percentage of Americans serving in many international organizations, the United States Government is attempting to offset this trend by providing recruitment help to these organizations.

Although international organizations will continue to draw employment candidates from private industry, faculties of universities, foundations, and similar sources in the United States, one of the largest and best sources of trained personnel is to be found in the Federal Government. Furthermore, appointment of Federal personnel for temporary periods of service in international agencies has the advantage to the Government of providing a means of increasing the experience of its employees.

The Department of State and the Civil Service Commission stated that an examination of the ways in which Federal employees can be made available to international organizations has disclosed that certain deterrents now exist. These mainly involve: (a) insufficient authority to detail personnel to these organizations; and (b) a lack of protection, under present regulations, of Federal employment rights and benefits of employees who transfer for temporary service with international agencies.

#### PURPOSE

The bill would authorize Federal agency heads to detail employees to international organizations. It also would authorize, with regard to transfers, the retention of Federal employment rights that now are lost or only partially protected.

It is expected that the provisions of the bill would encourage an increased number of Federal employees to serve temporarily with international organizations. Thus an effective method would be provided to raise the percentage of Americans on the staffs of these organizations.

#### EXPLANATION OF THE BILL BY SECTIONS

Section 1: Provides a short title for ready citation.

Section 2: Provides definitions of terms used in the bill.

Section 3: Provides authority to detail and method of reimbursement.

Section 4: Provides authority for transfers, up to a maximum period of 3 years, with retention of the following Federal rights: full Federal retirement and life-insurance coverage if proper payments are made; Compensation Act coverage; earning of service credit; and an option to retain accumulated leave to the employee's credit. In addition, employees who are not congressional employees are given a right of reemployment. (In connection with these transfer provisions, provisions similar in principle were granted to cover transfers to the International Atomic Energy Agency. The authority is contained in section 6 of the International Atomic Energy Agency Participation Act of 1957, 22 U. S. C. 2025 (a).)

Section 5: Provides authority for the President to prescribe regulations.

Section 6: Permits, under prescribed conditions, the application of provisions of the proposed bill to Federal personnel now serving temporarily with international agencies.

Section 7: Repeals section 6 (a) of the International Atomic Energy Agency Participation Act of 1957 (22 U. S. C. 2025 (a)).

#### COST AND NUMBER OF EMPLOYEES

No additional appropriation of funds would be required to carry out the provisions of the bill. Although for purposes of flexibility of arrangements section 4 (b) permits Federal agencies to pay the employer share of Federal retirement and life insurance, the Department of State expects that in most instances agreements can be made with international organizations to assume these payments.

As to the effect of the bill in terms of numbers of Federal personnel, the Department of State estimates that opportunities in any given year would not permit more than from 40 to 60 Federal employees to transfer to international organizations. Opportunities to detail Federal employees might number an additional 40 to 50, most of these involving short-term assignments.

#### PUBLIC HEARINGS

Public hearings on the bill were held on July 1, 1958. Favorable testimony was received from the Department of State and the Civil Service Commission, with the approval of the Bureau of the Budget. There was no testimony in opposition to the bill.

#### REQUEST FOR LEGISLATION

The following is a letter from the Secretary, Department of State, requesting this legislation:

JUNE 5, 1958.

Hon. RICHARD M. NIXON,  
*President of the Senate.*

DEAR MR. VICE PRESIDENT: I submit herewith a draft of a proposed bill to encourage and authorize the detail and transfer of Federal employees for periods of service with public international organizations in which the United States Government participates. The proposed bill, which does not involve a request for funds, is explained in some detail in a supporting statement and in a sectional analysis that are enclosed.

Section 6 (a) of the International Atomic Energy Agency Act of 1957 (Public Law 85-177) authorizes retention of Federal retirement, life insurance, and certain other rights and privileges by Federal personnel who transfer for a limited period of service with the International Atomic Energy Agency. It is the purpose of the enclosed proposed bill to authorize retention of similar benefits by Federal personnel who transfer for a limited period of service with other public international organizations. In addition, the proposed bill would grant authority to Federal agency heads to detail Federal personnel to international organizations when such an arrangement is deemed more satisfactory than a transfer.

#### 4    TRANSFER OF EMPLOYEES TO INTERNATIONAL ORGANIZATIONS

The proposed bill, which was drafted with the assistance of the United States Civil Service Commission, is designed to make more effective the participation of the United States Government in public international organizations by (1) establishing an improved means of encouraging more Federal personnel to serve with international organizations, thus assisting efforts to increase the number of Americans in such organizations; (2) providing international organizations with well-trained American personnel who can be expected to make a valuable contribution to the work of the organization; and (3) permitting an increased number of Federal personnel to acquire specialized experience of value to the Government. Therefore, it is hoped that the Congress will be able to take action on the bill in the current session.

A similar communication is being sent to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposal to the Congress for its consideration.

Sincerely,

JOHN FOSTER DULLES.

#### CHANGES IN EXISTING LAW

Compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate has been omitted inasmuch as it is necessary, in the opinion of the committee, to dispense with the requirements of such subsection to expedite the business of the Senate.





85TH CONGRESS  
2D SESSION

[Report No. 1836]

JUNE 12, 1958

JULY 14, 1958

[Strike out all after the enacting clause and insert the part printed in italic]

To encourage and authorize details and transfers of Federal employees for service with international organizations.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the “Federal Employees  
4       International Organization Service Act.”

## 5 DEFINITIONS

6      ~~SEC. 201. As used in this Act:~~

7       “International organization” means every public inter-  
8 national organization or international organization prepara-  
9 tory commission in which the United States Government  
10 participates.

11 ~~“Employee” means any civilian officer or employee in~~



1 or under the executive branch of the United States Gov-  
2 ernment and any civilian officer or employee of the General  
3 Accounting Office and the Library of Congress.

4 "Transfer" means the change of position by an employee  
5 from a United States Government department or agency to  
6 an international organization.

7 "Detail" means the assignment or loan of an employee  
8 to an international organization without the employee's  
9 transfer from his Federal employing agency.

10 DETAILS

11 SEC. 301. (a) The head of any United States Govern-  
12 ment department or agency is authorized to detail for a  
13 period not exceeding three years any employee of his depart-  
14 ment or agency to an international organization requesting  
15 services.

16 (b) Any employee while so detailed shall be considered  
17 for the purpose of preserving his allowances, privileges,  
18 rights, seniority, and other benefits, to be an employee of  
19 the Government department or agency from which detailed,  
20 and he shall continue to receive compensation, allowances,  
21 and benefits from funds available to that department or  
22 agency. The authorization of such allowances and other  
23 benefits and the payment thereof out of any appropriations  
24 available therefor shall be considered as meeting all the re-  
25 quirements of section 1765 of the Revised Statutes.

(c) Details may be made under this section—

(1) without reimbursement to the United States by the international organization; or

(2) with agreement by the international organization to reimburse the United States for compensation, travel expenses, and allowances, or any part thereof, payable during the period of detail in accordance with subsection 301 (a) and 301 (b), and such reimbursement shall be credited to the appropriation, fund, or account utilized for paying such compensation, travel expenses, or allowances.

(d) Nothing in section 1914 of title 18, United States Code, relative to augmenting salaries of Government employees shall prevent an employee detailed under this section from being paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail.

#### TRANSFERS

SEC. 401. (a) Notwithstanding the provisions of any law, Executive order, or regulation, any employee serving under a Federal appointment not limited to one year or less who transfers to an international organization is entitled to the following, if the transfer is made with the consent of the head of his department or agency and is for a period of employment not exceeding three years after the date on

1 which the employee enters on duty with the international  
2 organization, or a lesser period specified by the head of the  
3 department or agency at the time of the consent to transfer:

4       ~~(1) To retain coverage and all rights and benefits under~~  
5       ~~any system established by law for the retirement of civilian~~  
6       ~~employees of the United States, if all necessary employee~~  
7       ~~deductions and agency contributions in payment for such~~  
8       ~~coverage, rights, and benefits for the period of employment~~  
9       ~~with the international organization are currently deposited~~  
10       ~~in the system's fund or depository.~~

11       ~~(2) To retain coverage and all rights and benefits under~~  
12       ~~the Federal Employees' Group Life Insurance Act of 1954,~~  
13       ~~as amended (5 U. S. C., ch. 24), if all necessary employee~~  
14       ~~deductions and agency contributions in payment for such~~  
15       ~~coverage, rights, and benefits for the period of employment~~  
16       ~~with the international organization are currently deposited~~  
17       ~~in the Employees' Life Insurance Fund created by section 5~~  
18       ~~(e) of the Federal Employees' Group Life Insurance Act~~  
19       ~~of 1954, as amended (5 U. S. C. 2094 (e)).~~

20       ~~(3) To retain coverage and all rights and benefits under~~  
21       ~~the Federal Employees' Compensation Act, as amended,~~  
22       ~~(5 U. S. C., ch. 15), and for this purpose, his employment~~  
23       ~~with the international organization shall be deemed to be~~  
24       ~~employment by the United States. However, in any case~~  
25       ~~in which the injured employee, or his dependents in case of~~  
26       ~~death, receives from the international organization any pay-~~



1 ment ~~(including any allowance, gratuity, payment under an~~  
2 ~~insurance policy for which the premium is wholly paid~~  
3 ~~by that organization, or other benefit of any kind)~~, on ac-  
4 count of the same injury or death, the amount of such pay-  
5 ments shall be credited against any benefits payable under  
6 the Federal Employees' Compensation Act as follows: ~~(A)~~  
7 ~~payments on account of injury or disability shall be credited~~  
8 ~~against disability compensation payable to the injured em-~~  
9 ~~ployee; and (B) payments on account of death shall be~~  
10 ~~credited against death compensation payable to dependents~~  
11 ~~of the deceased employee.~~

12 ~~(4) To elect to retain to his credit all accumulated and~~  
13 ~~current accrued annual leave to which entitled at the time~~  
14 ~~of transfer to an international organization which would~~  
15 ~~otherwise be liquidated by a lump-sum payment. On the~~  
16 ~~request of an employee at any time prior to reemployment~~  
17 ~~pursuant to section 401 (a) (5), payments shall be made~~  
18 ~~for all of the leave retained. This subsection shall under no~~  
19 ~~circumstances operate so as to deprive an employee of any~~  
20 ~~lump-sum payment to which he would otherwise be entitled,~~  
21 ~~or to cause a forfeiture of retained leave following restora-~~  
22 ~~tion pursuant to section 401 (a) (5).~~

23 ~~(5) To be reemployed within thirty days of his appli-~~  
24 ~~cation for reemployment in his former position or a position~~  
25 ~~of like seniority, status, and pay in the department or agency~~



1 from which he transferred, if he is separated from the in-  
2 ternational organization within the period of employment  
3 specified by the head of his department or agency at the  
4 time of consent to transfer or, in the absence of such a  
5 specified period, within three years after the date on which  
6 he entered on duty with the international organization,  
7 and he applies for reemployment not later than ninety days  
8 after the separation.

9       ~~(6)~~ Upon reemployment pursuant to section 401 ~~(a)~~  
10 ~~(5)~~, to the rate of basic compensation to which he would  
11 be entitled had he remained in the Federal service. Upon  
12 such reemployment, the sick leave account of the employee  
13 shall be restored by credit or charges to its status at the  
14 time he left the Federal service; and the period of separa-  
15 tion caused by his employment with the international organ-  
16 ization and the exercise of his legal reemployment right shall  
17 be considered creditable service for all appropriate Federal  
18 employment purposes.

19       ~~(b)~~ During the employee's period of service with the  
20 international organization, the agency contribution for re-  
21 tirement and insurance purposes may be made from the  
22 appropriations or funds of the department or agency from  
23 which the employee transferred.

24       ~~(c)~~ All computations under this Act prior to reemploy-  
25 ment shall be made in the same manner as if the rate of

1 basic compensation received by the employee on his last  
2 day of Federal service had continued without change.

3 (d) The provisions of this section may apply no longer  
4 than the period of employment specified by the head of the  
5 department or agency at the time of consent to transfer or, in  
6 the absence of such a specified period, no longer than three  
7 years after the date on which the employee enters on duty  
8 with the international organization, except that for retire-  
9 ment and insurance purposes the section shall continue to  
10 apply during the period in which the employee is properly  
11 exercising or could exercise the reemployment right estab-  
12 lished by subsection 401 (a) (5). During that reemploy-  
13 ment period, the employee is considered on leave without  
14 pay for retirement and insurance purposes.

#### 15 REGULATIONS

16 SEC. 501. The President is authorized to prescribe the  
17 necessary rules and regulations to carry out the provisions  
18 of this Act and to protect and assure the retirement, insur-  
19 ance, leave, and reemployment rights and such other similar  
20 Federal employment rights as he may find appropriate.  
21 These regulations may provide for the exclusion of employees  
22 from coverage hereunder on the basis of the nature and type  
23 of employment such as, but not limited to, excepted appoint-  
24 ments of a confidential or policy-determining character, or  
25 conditions pertaining to the employment such as, but not

1 limited to, short-term appointments, seasonal or intermittent  
2 employment, and part-time employment.

3 EFFECTIVE DATE

4 SEC. 601. This Act shall take effect on the date of its  
5 enactment except that any present employee of an inter-  
6 national organization who entered on duty with the organi-  
7 zation from an executive branch position by transfer under  
8 Executive Order 9721 of May 10, 1946, as amended by  
9 Executive Order 10103 of February 1, 1950, or under the  
10 International Atomic Energy Agency Participation Act of  
11 1957, not earlier than three years prior to the date of  
12 enactment, may elect to have coverage hereunder for the  
13 remainder of the three-year term if the head of the Federal  
14 department or agency from which he transferred consents to  
15 that coverage.

16 REPEAL PROVISION

17 SEC. 701. Section 6 (a) of the International Atomic  
18 Energy Agency Participation Act of 1957 (22 U. S. C.  
19 2025 (a)), is repealed except with respect to any rights and  
20 benefits vested by that section prior to the effective date of  
21 this Act.

22 *That this Act may be cited as the "Federal Employees Inter-*  
23 *national Organization Service Act."*



## DEFINITIONS

SEC. 2. *As used in this Act—*

(1) *“International organization” means every public international organization or international-organization preparatory commission in which the United States Government participates.*

(2) *“Federal agency” means any department or agency in the executive branch of the United States Government including independent establishments and Government owned or controlled corporations, and any employing authority in the legislative branch of the United States Government.*

(3) *“Employee” means any civilian appointive officer or employee in or under the executive or the legislative branch of the United States Government.*

(4) *“Congressional employee” means those included in the definition of that term contained in the Civil Service Retirement Act.*

(5) *“Transfer” means the change of position by an employee from a Federal agency to an international organization.*

(6) *“Detail” means the assignment or loan of an employee to an international organization without the employee’s transfer from the Federal agency by which he is employed.*



(7) "Reemployment" means either the reemployment of an employee pursuant to section 4 (a) (5), or the reemployment of a Congressional employee within ninety days from the date of his separation from the international organization, following a term of employment not extending beyond the period specified by the head of the Federal agency at the time of consent to transfer or, in the absence of such a specified period, not extending beyond the first three consecutive years of his entering the employ of the international organization.

10 *DETAILS*

11        *SEC. 3. (a) The head of any Federal agency is author-*  
12        *ized to detail for a period not exceeding three years any*  
13        *employee of his department or agency to an international*  
14        *organization requesting services.*

15       (b) Any employee while so detailed shall be considered  
16 for the purpose of preserving his allowances, privileges,  
17 rights, seniority, and other benefits, to be an employee of the  
18 Federal agency from which detailed and he shall continue to  
19 receive compensation, allowances, and benefits from funds  
20 available to that agency. The authorization of such allow-  
21 ances and other benefits and the payment thereof out of any  
22 appropriations available therefor shall be considered as meet-  
23 ing all the requirements of section 1765 of the Revised  
24 Statutes.

(c) *Details may be made under this section—*

(1) *without reimbursement to the United States by the international organization; or*

(2) *with agreement by the international organization to reimburse the United States for compensation, travel expenses, and allowances, or any part thereof, payable during the period of detail in accordance with subsections (a) and (b), and such reimbursement shall be credited to the appropriation, fund, or account utilized for paying such compensation, travel expenses, or allowances.*

(d) *Nothing in section 1914 of title 18, United States Code, relative to augmenting salaries of Government employees shall prevent an employee detailed under this section from being paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail.*

#### TRANSFERS

SEC. 4. (a) *Notwithstanding the provisions of any law, Executive order, or regulation, any employee serving under a Federal appointment not limited to one year or less who transfers to an international organization is entitled to the following, if the transfer is made with the consent of the head of his agency, except that the provisions of paragraph (5) relating to reemployment rights, and the provisions of para-*

1 graph (6) relating to rates of basic compensation payable  
2 upon reemployment shall not apply to Congressional em-  
3 ployees:

4 (1) To retain coverage and all rights and benefits  
5 under any system established by law for the retirement of  
6 civilian employees of the United States, if all necessary  
7 employee deductions and agency contributions in payment  
8 for such coverage, rights, and benefits for the period of  
9 employment with the international organization are cur-  
10 rently deposited in the system's fund or depository, and for  
11 such purpose service as an officer or employee of the inter-  
12 national organization shall be considered to be creditable  
13 service under any such system.

14 (2) To retain coverage and all rights and benefits under  
15 the Federal Employees' Group Life Insurance Act of 1954,  
16 as amended (5 U. S. C., ch. 24), if all necessary employee  
17 deductions and agency contributions in payment for such  
18 coverage, rights, and benefits for the period of employment  
19 with the international organization are currently deposited in  
20 the Employees' Life Insurance Fund created by section 5  
21 (c) of the Federal Employees' Group Life Insurance Act  
22 of 1954, as amended (5 U. S. C. 2094 (c)), and for such  
23 purpose service as an officer or employee of the international  
24 organization shall be considered to be service as an officer  
25 or employee of the United States.



1       (3) To retain coverage and all rights and benefits under  
2 the Federal Employees' Compensation Act, as amended (5  
3 U. S. C., ch. 15), and for this purpose his employment with  
4 the international organization shall be deemed to be employ-  
5 ment by the United States. However, in any case in which  
6 the injured employee, or his dependents in case of death,  
7 receives from the international organization any payment  
8 (including any allowance, gratuity, payment under an  
9 insurance policy for which the premium is wholly paid by  
10 that organization, or other benefit of any kind), on account  
11 of the same injury or death, the amount of such payments  
12 shall be credited against any benefits payable under the Fed-  
13 eral Employees' Compensation Act as follows: (A) pay-  
14 ments on account of injury or disability shall be credited  
15 against disability compensation payable to the injured em-  
16 ployee; and (B) payments on account of death shall be  
17 credited against death compensation payable to dependents  
18 of the deceased employee.

19       (4) To elect to retain to his credit all accumulated and  
20 current accrued annual leave to which entitled at the time  
21 of transfer to an international organization which would  
22 otherwise be liquidated by a lump-sum payment. On the re-  
23 quest of an employee at any time prior to reemployment, pay-  
24 ment shall be made for all of the leave retained. In any case  
25 in which an employee receives a lump-sum payment and re-



1    *employment occurs within six months following the date of*  
2    *the transfer, such employee shall refund to the Federal*  
3    *agency the amount of the lump-sum payment. This subsec-*  
4    *tion shall under no circumstances operate so as to cause a*  
5    *forfeiture of retained leave following reemployment or to de-*  
6    *prive an employee of any lump-sum payment to which he*  
7    *would otherwise be entitled.*

8        *(5) To be reemployed within thirty days of his appli-*  
9    *cation for reemployment in his former position or a position*  
10   *of like seniority, status, and pay in the agency from which*  
11   *he transferred, if he is separated from the international or-*  
12   *ganization within three years after the date on which he en-*  
13   *tered on duty with the international organization, or within*  
14   *such shorter period as may be specified by the head of the*  
15   *Federal agency at the time of consent to transfer, and he ap-*  
16   *plies for reemployment not later than ninety days after the*  
17   *separation.*

18        *(6) Upon reemployment, to the rate of basic compen-*  
19   *sation to which he would be entitled had he remained in the*  
20   *Federal service. Upon reemployment, the sick leave account*  
21   *of the employee shall be restored by credit or charge to its*  
22   *status at the time he left the Federal service; and the period*  
23   *of separation caused by his employment with the international*  
24   *organization and the period necessary to effect reemployment*

1 shall be considered creditable service for all appropriate  
2 Federal employment purposes.

3 (b) During the employee's period of service with the in-  
4 ternational organization, the agency contribution for retire-  
5 ment and insurance purposes may be made from the appro-  
6 priations or funds of the Federal agency from which the  
7 employee transferred.

8 (c) All computations under this Act prior to reemploy-  
9 ment shall be made in the same manner as if the employee  
10 had received basic compensation (or basic compensation plus  
11 additional compensation in the case of a congressional em-  
12 ployee) at the rate at which it would have been payable had  
13 the employee continued in the position in which he was serving  
14 at the time of his transfer.

15 (d) The provisions of this section shall apply only with  
16 respect to so much of any period of employment with an  
17 international organization as does not exceed three years or  
18 such shorter period as may be specified by the head of the  
19 Federal agency from which the employee is transferred at  
20 the time of consent to transfer, except that for retirement  
21 and insurance purposes this section shall continue to apply  
22 during the period in which a congressional employee is  
23 effecting or could effect a reemployment or an employee other  
24 than a congressional employee is properly exercising or

1 could exercise the reemployment right established by sub-  
2 section (a) (5). During that reemployment period, the  
3 employee shall be considered to be on leave without pay for  
4 retirement and insurance purposes.

5 *REGULATIONS*

6 *SEC. 5. The President is authorized to prescribe the*  
7 *necessary rules and regulations to carry out the provisions*  
8 *of this Act and to protect and assure the retirement, insur-*  
9 *ance, leave, and reemployment rights and such other similar*  
10 *Federal employment rights as he may find appropriate.*  
11 *These regulations may provide for the exclusion of employees*  
12 *from coverage hereunder on the basis of the nature and type*  
13 *of employment such as, but not limited to, excepted appoint-*  
14 *ments of a confidential or policy-determining character, or*  
15 *conditions pertaining to the employment such as, but not*  
16 *limited to, short-term appointments, seasonal or intermittent*  
17 *employment, and part-time employment.*

18 *EFFECTIVE DATE*

19 *SEC. 6. This Act shall take effect on the date of its enact-*  
20 *ment except that any present employee of an international*  
21 *organization who entered on duty with the organization by*  
22 *transfer under Executive Order 9721 of May 10, 1946,*  
23 *as amended by Executive Order 10103 of February 1, 1950,*  
24 *or under the International Atomic Energy Agency Partici-*  
25 *pation Act of 1957, not earlier than three years prior to the*

1 date of enactment, may elect to have coverage hereunder for  
2 the remainder of the three-year term if the head of the Fed-  
3 eral agency from which he transferred consents to that cov-  
4 erage.

5 *REPEAL PROVISION*

6 *SEC. 7. Section 6 (a) of the International Atomic*  
7 *Energy Agency Participation Act of 1957 (22 U. S. C. 2025*  
8 *(a) ), is repealed except that it shall be considered to remain in*  
9 *effect with respect to any employee subject thereto who is*  
10 *serving as an employee of the International Atomic Energy*  
11 *Agency on the date of enactment of this Act and who does*  
12 *not make the election referred to in section 6, and for the*  
13 *purposes of any rights and benefits vested thereunder prior to*  
14 *such date.*







85TH CONGRESS  
2D SESSION

**S. 4004**

[Report No. 1836]

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# A BILL

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To encourage and authorize details and transfers of Federal employees for service with international organizations.

---

By Mr. JOHNSTON of South Carolina

---

JUNE 12, 1958

Read twice and referred to the Committee on Post  
Office and Civil Service

JULY 14, 1958

Reported with an amendment





October 11, 1907

# A BILL

To amend the act approved March 3, 1907,  
relating to the National Academy of Sciences,  
and for other purposes.

Enacted at the City of Washington, this 11th day of October, 1907.

Wm. H. Taft

President of the United States

Wm. H. Taft

Secretary of the Senate

# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued July 22, 1958  
For actions of July 21, 1958  
85th-2d, No. 122

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HIGHLIGHTS: House debated bill to extend Public Law 480. House passed bills to: Increase allotments for extra-long staple cotton seed. Amend Federal Seed Act. House committee ordered reported Klamath Indian land bill. House received conference report on independent offices appropriation bill. Senate committee reported accrued expenditures budgeting bill. Senate debated trade agreements extension bill. Senate debated industrial uses research bill.

## SENATE

1. BUDGETING. The Appropriations Committee reported with amendments H. R. 8002, the accrued expenditures budgeting bill, with individual views by Sen. Hayden (S. Rept. 1866). p. 13062
2. TRADE AGREEMENTS. Continued debate on H. R. 12591, the trade agreements extension bill. pp. 13075-6, 13085-6, 13093-5, 13110-11, 13115-45
3. ONION FUTURES. Conferees were appointed on H. R. 376, to prohibit trading in onion futures and remove onions from regulation under the Commodity Exchange Act. House conferees have been appointed. p. 13065
4. RESEARCH. Began debate on S. 4100, to provide for an expanded program of research on the industrial use of agricultural products. pp. 13098-13104
5. FORESTRY. Passed without amendment the following bills:  
H. R. 10321, to authorize the exchange of lands of the Estes Park Administrative Site, Roosevelt National Forest, for lands of equal value outside

House - July 21, 1958

the forest near Ft. Collins, Colo. This bill will now be sent to the President. p. 13097

H. R. 11253, to authorize the Secretary of Agriculture to exchange certain Forest Service lands and improvements with Redding, Calif., Municipal Airport. This bill will now be sent to the President. p. 13097

H. R. 12161, to authorize establishment of townsites from National Forest lands, including their sale to private individuals. This bill will now be sent to the President. p. 13098

S. 3248, to authorize the Secretary of Agriculture to exchange lands comprising the Pleasant Grove Administrative Site, Uinta National Forest, Utah, with a Pleasant Gove, Utah, church. pp. 13097-8

Passed as reported the following bills:

S. 3439, to reconvey to Salt Lake City the Forest Service Fire Warehouse lot in that city. pp. 13096-7

S. 3741, to facilitate the administration of Forest Service lands by making all FS lands (with the exception of the O&C revested lands) subject to administration as public domain or Weeks law lands. p. 13098

6. PERSONNEL. Passed as reported S. 4004, to encourage and authorize details and transfers of Federal employees for service with international organizations through the retention of Federal employee benefits during periods in which an employee is detailed to work with an international agency or who transfers to an international agency on leave from the Government. pp. 13095-6

7. WATER POLLUTION. The Public Works Committee ordered reported with amendments H. R. 6701, granting the consent of Congress to the Tennessee River Basin Water Pollution Control Compact. p. D708

8. WATER RESOURCES. The Public Works Committee ordered reported with amendments the following measures:

S. 4021, to establish a U. S. Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins; and S. Res. 248, to provide for hearings on the relationships of water resource development programs of the U. S., Russia, and Communist China (previously approved by the Interior and Insular Affairs Committee). p. D708

9. WATERSHED PROJECTS. Received from the Budget Bureau plans for works of improvement on Lower Willow Creek, Mont., Whitegrass-Waterhole Creek, Okla., and Little Schuylkill River, Pa. pp. 13061-2

The Public Works Committee approved watershed projects on Upper Lake Fork Creek, Tex., Dry Devils River, Tex., Lower Willow Creek, Mont., Little Schuylkill River, Pa., and White Grass Waterhole, Okla. p. D708

10. FEDERAL-STATE RELATIONS. Sen. Stennis discussed and urged enactment of H. R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. pp. 13080-1

11. PERSONNEL ETHICS. Sen. Morse inserted an editorial commending Congress for providing a Code of Ethics for Federal employees. p. 13069

12. BUILDINGS. Sen. Smith, Me., urged greater attention to artistry and quality in the development of the Federal capital area. pp. 13072-3

13. SMALL BUSINESS. Sen. Proxmire inserted his testimony on behalf of S. 3850, the fair trade bill, urging the preservation and protection of the family store small business. p. 13074



responsibilities. It is inundated with foreign policy and domestic policy requirements. Should we, therefore, as a matter of policy, force back upon Congress the responsibility for specific escape clause decisions?

Should we not, therefore, leave it in the hands of the Chief Executive of our country to decide on escape-clause actions within the national interest?

#### WORLD WILL CHANGE

Whether we decide to extend the President's authority for 3 years or 5 years, the fact of the matter is that we, of the Congress, cannot foresee ahead as much as 3 days or 3 months or 3 years. The world is in flux. The Congress will always have the responsibility of making reviews of this, or any other law. We shall be invigorating, I trust, with new life the principle of reciprocity.

But we cannot assume that the world is going to stand still for a period of 3 years, and that any law which we enact will work soundly for 3 years in the changed world of today.

#### PROTECTING OUR BIRTHRIGHT

If I were to sum up my position, I would say that, while we are anxious to help human beings throughout the world achieve their birthright, we do not intend to give away our own birthright. I mean the birthright of American employees; I mean the birthright of American businessmen in this, the greatest market of the world.

#### WILL THE MECHANISM WORK?

The big question, therefore, is, Will the escape clause and peril-point provisions which we enact work?

If a mechanism does not work, or if those who are operating the mechanism are not efficient, then it is our responsibility, (a) to change the mechanism; and (b) to urge that the operators change their course of action.

#### CONGRESS MUST KEEP ITS EYE ON THE BIG PICTURE

When the flood of incoming Swiss watches jeopardized the watchmaking skills and labor of the New England area, then the President acted to protect and preserve those watchmaking skills.

There have been other instances when the President has soundly invoked escape-clause provisions. He has raised tariffs. Quotas have been set on incoming imports. It may be necessary to do so again in the future, depending upon the specific conditions of the time.

#### AMERICA, THE LEADER OF THE WORLD

In conclusion, the dramatic headlines of the Middle East underline the fact that we are the leading nation of the earth. But we do not control the actions of the earth. Events are occurring in many places which will determine our own future decisions.

We must keep our eye on the big picture. We must constantly reevaluate our mechanisms, our approaches, our concepts, so that at each given time in our history, we may be adequate to the responsibilities which are ours.

#### FOREIGN POLICY

We must have efficient tools in handling our foreign affairs. Our leaders in

Government are of the opinion this reciprocal-trade measure is such an instrument.

### TRANSFER OF FEDERAL EMPLOYEES FOR SERVICE WITH INTERNATIONAL ORGANIZATIONS

Mr. CHURCH. Mr. President, I ask unanimous consent that the Senate temporarily lay aside the unfinished business and proceed to the consideration of Order No. 1871, Senate bill 4004.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 4004) to encourage and authorize details and transfers of Federal employees for service with international organizations.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "Federal Employees International Organization Service Act."

#### DEFINITIONS

SEC. 2. As used in this act—

(1) "International organization" means every public international organization or international organization preparatory commission in which the United States Government participates.

(2) "Federal agency" means any department or agency in the executive branch of the United States Government including independent establishments and Government owned or controlled corporations, and any employing authority in the legislative branch of the United States Government.

(3) "Employee" means any civilian appointive officer or employee in or under the executive or the legislative branch of the United States Government.

(4) "Congressional employee" means those included in the definition of that term contained in the Civil Service Retirement Act.

(5) "Transfer" means the change of position by an employee from a Federal agency to an international organization.

(6) "Detail" means the assignment or loan of an employee to an international organization without the employee's transfer from the Federal agency by which he is employed.

(7) "Reemployment" means either the reemployment of an employee pursuant to section 4 (a) (5), or the reemployment of a congressional employee within 90 days from the date of his separation from the international organization, following a term of employment not extending beyond the period specified by the head of the Federal agency at the time of consent to transfer or, in the absence of such a specified period, not extending beyond the first 3 consecutive years of his entering the employ of the international organization.

#### DETAILS

SEC. 3. (a) The head of any Federal agency is authorized to detail for a period not exceeding 3 years any employee of his department or agency to an international organization requesting services.

(b) Any employee while so detailed shall be considered for the purpose of preserving his allowances, privileges, rights, seniority, and other benefits, to be an employee of the Federal agency from which detailed and

he shall continue to receive compensation, allowances, and benefits from funds available to that agency. The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 1765 of the Revised Statutes.

(c) Details may be made under this section—

(1) without reimbursement to the United States by the international organization; or

(2) with agreement by the international organization to reimburse the United States for compensation, travel expenses, and allowances, or any part thereof, payable during the period of detail in accordance with subsections (a) and (b), and such reimbursement shall be credited to the appropriation, fund, or account utilized for paying such compensation, travel expenses, or allowances.

(d) Nothing in section 1914 of title 18, United States Code, relative to augmenting salaries of Government employees shall prevent an employee detailed under this section from being paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail.

#### TRANSFERS

SEC. 4. (a) Notwithstanding the provisions of any law, Executive order, or regulation, any employee serving under a Federal appointment not limited to 1 year or less who transfers to an international organization is entitled to the following, if the transfer is made with the consent of the head of his agency, except that the provisions of paragraph (5) relating to reemployment rights, and the provisions of paragraph (6) relating to rates of basic compensation payable upon reemployment shall not apply to congressional employees:

(1) To retain coverage and all rights and benefits under any system established by law for the retirement of civilian employees of the United States, if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the system's fund or depository, and for such purpose service as an officer or employee of the international organization shall be considered to be creditable service under any such system.

(2) To retain coverage and all rights and benefits under the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C., ch. 24), if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the Employees' Life Insurance Fund created by section 5 (c) of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C. 2094 (c)), and for such purpose service as an officer or employee of the international organization shall be considered to be service as an officer or employee of the United States.

(3) To retain coverage and all rights and benefits under the Federal Employees' Compensation Act, as amended (5 U. S. C., ch. 15), and for this purpose his employment with the international organization shall be deemed to be employment by the United States. However, in any case in which the injured employee, or his dependents in case of death, receives from the international organization any payment (including any allowance, gratuity, payment under an insurance policy for which the premium is wholly paid by that organization, or other benefit of any kind), on account of the same injury or death, the amount of such payments shall be credited against any benefits payable under the Federal Employees' Com-



pensation Act as follows: (A) payments on account of injury or disability shall be credited against disability compensation payable to the injured employee; and (B) payments on account of death shall be credited against death compensation payable to dependents of the deceased employee.

(4) To elect to retain to his credit all accumulated and current accrued annual leave to which entitled at the time of transfer to an international organization which would otherwise be liquidated by a lump-sum payment. On the request of an employee at any time prior to reemployment, payment shall be made for all of the leave retained. In any case in which an employee receives a lump-sum payment and reemployment occurs within 6 months following the date of the transfer, such employee shall refund to the Federal agency the amount of the lump-sum payment. This subsection shall under no circumstances operate so as to cause a forfeiture of retained leave following reemployment or to deprive an employee of any lump-sum payment to which he would otherwise be entitled.

(5) To be reemployed within 30 days of his application for reemployment in his former position or a position of like seniority, status, and pay in the agency from which he transferred, if he is separated from the international organization within 3 years after the date on which he entered on duty with the international organization, or within such shorter period as may be specified by the head of the Federal agency at the time of consent to transfer, and he applies for reemployment not later than 90 days after the separation.

(6) Upon reemployment, to the rate of basic compensation to which he would be entitled had he remained in the Federal service. Upon reemployment, the sick leave account of the employee shall be restored by credit or charge to its status at the time he left the Federal service; and the period of separation caused by his employment with the international organization and the period necessary to effect reemployment shall be considered creditable service for all appropriate Federal employment purposes.

(b) During the employee's period of service with the international organization, the agency contribution for retirement and insurance purposes may be made from the appropriations or funds of the Federal agency from which the employee transferred.

(c) All computations under this act prior to reemployment shall be made in the same manner as if the employee had received basic compensation (or basic compensation plus additional compensation in the case of a congressional employee) at the rate at which it would have been payable had the employee continued in the position in which he was serving at the time of his transfer.

(d) The provisions of this section shall apply only with respect to so much of any period of employment with an international organization as does not exceed 3 years or such shorter period as may be specified by the head of the Federal agency from which the employee is transferred at the time of consent to transfer, except that for retirement and insurance purposes this section shall continue to apply during the period in which a congressional employee is effecting or could effect a reemployment or an employee other than a congressional employee is properly exercising or could exercise the reemployment right established by subsection (a) (5). During that reemployment period, the employee shall be considered to be on leave without pay for retirement and insurance purposes.

#### REGULATIONS

SEC. 5. The President is authorized to prescribe the necessary rules and regulations to carry out the provisions of this act and to protect and assure the retirement, insur-

ance, leave, and reemployment rights and such other similar Federal employment rights as he may find appropriate. These regulations may provide for the exclusion of employees from coverage hereunder on the basis of the nature and type of employment such as, but not limited to, excepted appointments of a confidential or policy-determining character, or conditions pertaining to the employment such as, but not limited to, short-term appointments, seasonal or intermittent employment, and part-time employment.

#### EFFECTIVE DATE

SEC. 6. This act shall take effect on the date of its enactment except that any present employee of an international organization who entered on duty with the organization by transfer under Executive Order 9721 of May 10, 1946, as amended by Executive Order 10103 of February 1, 1950, or under the International Atomic Energy Agency Participation Act of 1957, not earlier than 3 years prior to the date of enactment, may elect to have coverage hereunder for the remainder of the 3-year term if the head of the Federal agency from which he transferred consents to that coverage.

#### REPEAL PROVISION

SEC. 7. Section 6 (a) of the International Atomic Energy Agency Participation Act of 1957 (22 U. S. C. 2025 (a)), is repealed except that it shall be considered to remain in effect with respect to any employee subject thereto who is serving as an employee of the International Atomic Energy Agency on the date of enactment of this act and who does not make the election referred to in section 6, and for the purposes of any rights and benefits vested thereunder prior to such date.

Mr. JOHNSTON of South Carolina. Mr. President, this bill, a draft of which was submitted to the Vice President, was requested by the Secretary of State. Not only the Department of State but a great many international organizations are having trouble getting efficient help under present circumstances. They asked that the bill be passed.

It will be noted that the bill gives certain benefits to transferred employees which they do not now have. The right is provided that the departments may transfer personnel to various international organizations without the employees' losing their rights as Federal employees. It will help the various organizations fill temporary jobs with such employees.

We must take some such action as this, for certain jobs in these international organizations are now being filled by people who are not citizens of the United States and we have to pay the compensation of those who fill the positions. The passage of the bill will really help the citizens of the United States.

The committee was unanimous in reporting the bill and recommending that it be passed.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The question is on agreeing to the committee amendment.

Mr. JOHNSTON of South Carolina. Mr. President, the amendment would only correct technical errors we found in the bill in the process of hearing.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### RECONVEYANCE OF CERTAIN LAND TO SALT LAKE, CITY, UTAH

Mr. CHURCH. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Order No. 1882, S. 3439.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Idaho?

There being no objection, the Senate proceeded to consider the bill (S. 3439) providing for the reconveyance to Salt Lake City, Utah, of the Forest Service fire warehouse lot in that city, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 3, after the word "authorized", to strike out "and directed"; in line 8, after the word "thereon", to insert a colon and "Provided, That as a condition of such conveyance the Secretary may in his discretion reserve to the United States for a period of not to exceed 2 years from the date of the deed the right to use and occupy without charge the property being conveyed."; on page 2, line 11, after the word "of", to strike out "Agriculture, said" and insert "Agriculture. Said"; and in line 18, after the word "Administration", to insert a comma and "or on other property acquired by or available to the Secretary of Agriculture"; so as to make the bill read:

*Be it enacted, etc., That the Secretary of Agriculture is authorized to reconvey, by quitclaim deed, to Salt Lake City, a municipal corporation of the State of Utah, the Forest Service fire warehouse lot located at 634 South Second East Street in Salt Lake City, together with all appurtenances pertaining thereto and all improvements thereon: Provided, That as a condition of such conveyance the Secretary may in his discretion reserve to the United States for a period of not to exceed 2 years from the date of the deed the right to use and occupy without charge the property being conveyed.*

SEC. 2. The real property conveyance which is authorized by this act is described as commencing at the southeast corner of lot 8, block 20, plat A, Salt Lake City survey and running thence west 10 rods; thence north 5 rods; thence east 10 rods; thence south 5 rods to the place of beginning.

SEC. 3. The consideration for the conveyance herein authorized shall be the fair market value of the property as determined by the Secretary of Agriculture. Said payment to the United States shall be deposited in a special fund and shall be available to the Secretary of Agriculture for the purpose of aiding in the construction of other similar facilities in Salt Lake City on property available to the Forest Service at the former Veterans' Administration site near Fort Douglas, which is being assigned by the General Services Administration, or on other property acquired by or available to the Secretary of Agriculture.

SEC. 4. The United States purchased the lot from Salt Lake City by deed dated April 25, 1935, recorded in book 142 of deeds, page 337 of the Salt Lake County recorder's office records.

Mr. JOHNSTON of South Carolina. Mr. President, this bill, with committee amendments, would authorize the Secre-











1 in the executive branch of the United States Government  
2 including independent establishments and Government owned  
3 or controlled corporations, and any employing authority in  
4 the legislative branch of the United States Government.

5 (3) "Employee" means any civilian appointive officer  
6 or employee in or under the executive or the legislative  
7 branch of the United States Government.

8 (4) "Congressional employee" means those included in  
9 the definition of that term contained in the Civil Service  
10 Retirement Act.

11 (5) "Transfer" means the change of position by an em-  
12 ployee from a Federal agency to an international organiza-  
13 tion.

14 (6) "Detail" means the assignment or loan of an em-  
15 ployee to an international organization without the em-  
16 ployee's transfer from the Federal agency by which he is  
17 employed.

18 (7) "Reemployment" means either the reemployment of  
19 an employee pursuant to section 4 (a) (5), or the reemploy-  
20 ment of a Congressional employee within ninety days from  
21 the date of his separation from the international organization,  
22 following a term of employment not extending beyond the  
23 period specified by the head of the Federal agency at the time  
24 of consent to transfer or, in the absence of such a specified  
25 period, not extending beyond the first three consecutive

1 years of his entering the employ of the international organ-  
2 ization.

3 DETAILS

4 SEC. 3. (a) The head of any Federal agency is author-  
5 ized to detail for a period not exceeding three years any  
6 employee of his department or agency to an international  
7 organization requesting services.

8 (b) Any employee while so detailed shall be considered  
9 for the purpose of preserving his allowances, privileges,  
10 rights, seniority, and other benefits, to be an employee of the  
11 Federal agency from which detailed and he shall continue to  
12 receive compensation, allowances, and benefits from funds  
13 available to that agency. The authorization of such allow-  
14 ances and other benefits and the payment thereof out of any  
15 appropriations available therefor shall be considered as meet-  
16 ing all the requirements of section 1765 of the Revised  
17 Statutes.

18 (c) Details may be made under this section—

19 (1) without reimbursement to the United States by  
20 the international organization; or

21 (2) with agreement by the international organiza-  
22 tion to reimburse the United States for compensation,  
23 travel expenses, and allowances, or any part thereof,  
24 payable during the period of detail in accordance with  
25 subsections (a) and (b), and such reimbursement shall

1 be credited to the appropriation, fund, or account utilized  
2 for paying such compensation, travel expenses, or allow-  
3 ances.

(d) Nothing in section 1914 of title 18, United States Code, relative to augmenting salaries of Government employees shall prevent an employee detailed under this section from being paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail.

## 10 TRANSFERS

11           SEC. 4. (a) Notwithstanding the provisions of any law,  
12   Executive order, or regulation, any employee serving under  
13   a Federal appointment not limited to one year or less who  
14   transfers to an international organization is entitled to the  
15   following, if the transfer is made with the consent of the head  
16   of his agency, except that the provisions of paragraph (5)  
17   relating to reemployment rights, and the provisions of para-  
18   graph (6) relating to rates of basic compensation payable  
19   upon reemployment shall not apply to Congressional em-  
20   ployees:

(1) To retain coverage and all rights and benefits under any system established by law for the retirement of civilian employees of the United States, if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of



1 employment with the international organization are cur-  
2 rently deposited in the system's fund or depository, and for  
3 such purpose service as an officer or employee of the inter-  
4 national organization shall be considered to be creditable  
5 service under any such system.

6 (2) To retain coverage and all rights and benefits under  
7 the Federal Employees' Group Life Insurance Act of 1954,  
8 as amended (5 U. S. C., ch. 24), if all necessary employee  
9 deductions and agency contributions in payment for such  
10 coverage, rights, and benefits for the period of employment  
11 with the international organization are currently deposited in  
12 the Employees' Life Insurance Fund created by section 5  
13 (c) of the Federal Employees' Group Life Insurance Act  
14 of 1954, as amended (5 U. S. C. 2094 (c)), and for such  
15 purpose service as an officer or employee of the international  
16 organization shall be considered to be service as an officer  
17 or employee of the United States.

18 (3) To retain coverage and all rights and benefits under  
19 the Federal Employees' Compensation Act, as amended (5  
20 U. S. C., ch. 15), and for this purpose his employment with  
21 the international organization shall be deemed to be employ-  
22 ment by the United States. However, in any case in which  
23 the injured employee, or his dependents in case of death,  
24 receives from the international organization any payment



1 (including any allowance, gratuity, payment under an  
2 insurance policy for which the premium is wholly paid by  
3 that organization, or other benefit of any kind), on account  
4 of the same injury or death, the amount of such payments  
5 shall be credited against any benefits payable under the Fed-  
6 eral Employees' Compensation Act as follows: (A) pay-  
7 ments on account of injury or disability shall be credited  
8 against disability compensation payable to the injured em-  
9 ployee; and (B) payments on account of death shall be  
10 credited against death compensation payable to dependents  
11 of the deceased employee.

12 (4) To elect to retain to his credit all accumulated and  
13 current accrued annual leave to which entitled at the time  
14 of transfer to an international organization which would  
15 otherwise be liquidated by a lump-sum payment. On the re-  
16 quest of an employee at any time prior to reemployment, pay-  
17 ment shall be made for all of the leave retained. In any case  
18 in which an employee receives a lump-sum payment and re-  
19 employment occurs within six months following the date of  
20 the transfer, such employee shall refund to the Federal  
21 agency the amount of the lump-sum payment. This subsec-  
22 tion shall under no circumstances operate so as to cause a  
23 forfeiture of retained leave following reemployment or to de-  
24 prive an employee of any lump-sum payment to which he  
25 would otherwise be entitled.

1       (5) To be reemployed within thirty days of his appli-  
2 cation for reemployment in his former position or a position  
3 of like seniority, status, and pay in the agency from which  
4 he transferred, if he is separated from the international or-  
5 ganization within three years after the date on which he en-  
6 tered on duty with the international organization, or within  
7 such shorter period as may be specified by the head of the  
8 Federal agency at the time of consent to transfer, and he ap-  
9 plies for reemployment not later than ninety days after the  
10 separation.

11       (6) Upon reemployment, to the rate of basic compen-  
12 sation to which he would be entitled had he remained in the  
13 Federal service. Upon reemployment, the sick leave account  
14 of the employee shall be restored by credit or charge to its  
15 status at the time he left the Federal service; and the period  
16 of separation caused by his employment with the international  
17 organization and the period necessary to effect reemployment  
18 shall be considered creditable service for all appropriate  
19 Federal employment purposes.

20       (b) During the employee's period of service with the in-  
21 ternational organization, the agency contribution for retire-  
22 ment and insurance purposes may be made from the appro-  
23 priations or funds of the Federal agency from which the  
24 employee transferred.

25       (c) All computations under this Act prior to reemploy-

1 ment shall be made in the same manner as if the employee  
2 had received basic compensation (or basic compensation plus  
3 additional compensation in the case of a congressional em-  
4 ployee) at the rate at which it would have been payable had  
5 the employee continued in the position in which he was  
6 serving at the time of his transfer.

7 (d) The provisions of this section shall apply only with  
8 respect to so much of any period of employment with an  
9 international organization as does not exceed three years or  
10 such shorter period as may be specified by the head of the  
11 Federal agency from which the employee is transferred at  
12 the time of consent to transfer, except that for retirement  
13 and insurance purposes this section shall continue to apply  
14 during the period in which a congressional employee is  
15 effecting or could effect a reemployment or an employee other  
16 than a congressional employee is properly exercising or  
17 could exercise the reemployment right established by sub-  
18 section (a) (5). During that reemployment period, the  
19 employee shall be considered to be on leave without pay for  
20 retirement and insurance purposes.

21 **REGULATIONS**

22 SEC. 5. The President is authorized to prescribe the  
23 necessary rules and regulations to carry out the provisions  
24 of this Act and to protect and assure the retirement, insur-

1   ance, leave, and reemployment rights and such other similar  
2   Federal employment rights as he may find appropriate.  
3   These regulations may provide for the exclusion of employees  
4   from coverage hereunder on the basis of the nature and type  
5   of employment such as, but not limited to, excepted appoint-  
6   ments of a confidential or policy-determining character, or  
7   conditions pertaining to the employment such as, but not  
8   limited to, short-term appointments, seasonal or intermittent  
9   employment, and part-time employment.

10                                   EFFECTIVE DATE

11       SEC. 6. This Act shall take effect on the date of its enact-  
12   ment except that any present employee of an international  
13   organization who entered on duty with the organization by  
14   transfer under Executive Order 9721 of May 10, 1946,  
15   as amended by Executive Order 10103 of February 1, 1950,  
16   or under the International Atomic Energy Agency Partici-  
17   pation Act of 1957, not earlier than three years prior to the  
18   date of enactment, may elect to have coverage hereunder for  
19   the remainder of the three-year term if the head of the Fed-  
20   eral agency from which he transferred consents to that cov-  
21   erage.

22                                   REPEAL PROVISION

23       SEC. 7. Section 6 (a) of the International Atomic  
24   Energy Agency Participation Act of 1957 (22 U. S. C.



1 2025 (a) ), is repealed except that it shall be considered to  
2 remain in effect with respect to any employee subject thereto  
3 who is serving as an employee of the International Atomic  
4 Energy Agency on the date of enactment of this Act and  
5 who does not make the election referred to in section 6,  
6 and for the purposes of any rights and benefits vested there-  
7 under prior to such date.

Passed the Senate July 21, 1958.

Attest:

FELTON M. JOHNSTON,

*Secretary.*



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# AN ACT

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To encourage and authorize details and transfers of Federal employees for service with international organizations.

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JULY 22, 1958

Referred to the Committee on Post Office and Civil  
Service







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued August 6, 1958  
For actions of August 5, 1958  
85th-2d, No. 133

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HIGHLIGHTS: House debated bill to increase public debt limit. House and Senate committees reported bill to facilitate USDA insured loans. Rep. Mathews urged passage of House committee farm bill. House subcommittee ordered reported bill for transfer of employees to international organizations. Senate committee reported foreign aid appropriation bill.

HOUSE Aug. 5, 1958

1. PUBLIC DEBT. Debated H. R. 13580, to increase the public debt limit to \$285 billion. At the request of Rep. McCormack a vote on the bill was postponed until today, Aug. 6. pp. 14880, 14883-89, 14889-910, 14946
2. FARM LOANS. The Agriculture Committee reported with amendment H. R. 10965, to improve the insured-loans program under Title I of the Bankhead-Jones Farm Tenant Act (H. Rept. 2447). p. 14946
3. PERSONNEL. A subcommittee of the Post Office and Civil Service Committee ordered reported S. 4004, to encourage transfers of Federal employees for service with international organizations. p. D799
4. MILITARY CONSTRUCTION. Received the conference report on H. R. 13015, the military construction authorization bill (H. Rept. 2429). As reported by the conferees the bill limits the number of houses which may be contracted for with the use of foreign currencies accumulated under Public Law 480 to 4,000 units. pp. 14866-79, 14946
5. TRANSPORTATION; TRAVEL. Passed under suspension of the rules S. 377, to provide a 2-year statute of limitations on actions involving transportation of property and passengers of the U. S. Government. Substituted the language of H. R. 8742, as passed by the House earlier in the day, for that of S. 377. H. R. 8742 was laid on the table. pp. 14880-81, 14889
6. FARM LABOR. The Rules Committee reported a resolution for consideration of H. R. 10360, to continue for 2 years the authority for the Attorney General to permit the importation of aliens for agricultural employment. pp. 14889, 14964
7. FARM PROGRAM. Rep. Matthews explained the provisions of S. 4071, the farm bill, as reported by the House Agriculture Committee, and urged enactment of the Committee bill. pp. 14924  
Rep. Hill inserted a letter from the National Wool Growers Assoc. urging passage of S. 4071 as reported by the House Agriculture Committee, and stated, "We feel certain that the conference committees can iron out major differences existing in the House and Senate versions of the farm bill and can develop legislation which will be acceptable to the administration." p. 14910
8. SALINE WATER. The Interior and Insular Affairs Committee reported with amendment S. J. Res. 135, to provide for the construction by Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, and municipal uses (H. Rept. 2450). p. 14946
9. RECLAMATION. The Interior and Insular Affairs Committee reported S. 4009, without amendment, to increase the amount authorized to be appropriated for the Washoe reclamation project, Nev. and Calif. (H. Rept. 2451); and S. 3448, with amendment, to permit the Secretary of the Interior to authorize increases in the 160-acre limitation on the Seedskadee Reclamation project (H. Rept. 2454). p. 14946
10. CONTRACTS. The Ways and Means Committee reported without amendment H. R. 11749, to extend the Renegotiation Act of 1951 for 2 years (H. Rept. 2466). p. 14947









House - Aug 7, 1958

4. **SMALL BUSINESS.** Agreed to the conference report on S. 3651, to make equity capital and long-term credit more readily available for small-business concerns. pp. 15182-86
5. **APPROPRIATIONS.** Both Houses agreed to the conference report on H. R. 12738, the Defense Department appropriation bill for 1959, and acted on amendments in disagreement. This bill will now be sent to the President. pp. 14176-82, 15146-7 (The conferees deleted the requirement for reports on budgetary reserves, but requested that the Budget Bureau arrange for such reports.)
6. **IMPORTS.** Agreed to the conference report on H. R. 6006, to provide for greater certainty, speed, and efficiency in the enforcement of the Antidumping Act. pp. 15186-87
7. **CONTRACTS.** Passed as reported H. R. 11749, to extend the Renegotiation Act of 1951 for 6 months, until June 30, 1959. pp. 15188-89
8. **EDUCATION.** Began debate on H. R. 13247, the national defense education bill, after agreeing, 265 to 108, to a Rules Committee resolution for debate on the bill. pp. 15192-218
9. **PERSONNEL.** The Post Office and Civil Service Committee reported H. R. 9407, ~~with amendment, to provide additional opportunity for certain employees to obtain career conditional and career appointments in the competitive service~~ (H. Rept. 2506); and S. 4004, without amendment, to encourage transfers of Federal employees for service with international organizations (H. Rept. 2509). p. 15231  
The Foreign Affairs Committee reported with amendment S. 3195, to authorize certain retired Federal personnel to accept and wear decorations, presents, and other things tendered them by certain foreign countries (H. Rept. 2521). p. 15232  
The Post Office and Civil Service Committee issued a report on the study of manpower utilization in financial management functions in the Federal Government (H. Rept. 2512). p. 15232  
The Ways and Means Committee reported without amendment H. R. 11908, to repeal Sec. 1505 of the Social Security Act so that in determining eligibility of Federal employees for unemployment compensation their accrued annual leave shall be treated in accordance with State laws (H. Rept. 2515). p. 15232
10. **INSPECTION SERVICES.** The Government Operations Committee reported without amendment S. 3873, to permit the interchange of inspection services between executive agencies without reimbursement or transfer of funds (H. Rept. 2508). p. 15231
11. **FORESTRY.** The Interior and Insular Affairs Committee reported without amendment H. R. 12242, to authorize the sale or exchange of certain Forest Service lands in Pima County, Ariz. (H. Rept. 2523). p. 15232
12. **RECLAMATION.** The Interior and Insular Affairs Committee ordered reported H. R. 12899, to construct the San Luis unit of the Central Valley project, Calif.; and H. J. Res. 585, to authorize studies and a report on service to certain California counties from the Central Valley project. p. D814
13. **ELECTRIFICATION.** The Rules Committee adopted a motion to reconsider previous action of having tabled hearing to consider the granting of a rule on S. 1869, to authorize the TVA to issue and sell bonds to assist in the financing of its power programs. p. D814



# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued August 8, 1953  
For actions of August 7, 1953  
85th-2d, No. 135

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HIGHLIGHTS; House agreed to conference report to extend trade agreements authority. Sens. Aiken and Stennis urged compromise on the farm bill. Senate debated bill to revise procedures for election of CSS farmer committeemen. Senate agreed to conference report on bill prohibiting onion futures trading. Sens. Proxmire and Humphrey criticized farm program and size of USDA budget. House Rules Committee cleared area redevelopment bill. Both Houses agreed to conference report on Defense Department appropriation bill. Sen. Anderson submitted and discussed measure to reestablish acreage allotments and price support levels for 1959 upland cotton.

## HOUSE

1. FOREIGN TRADE. Agreed, 161 to 56, to the conference report on H. R. 12591, to extend the authority of the President to enter into trade agreements. pp. 15170-76
2. AREA REDEVELOPMENT. The Rules Committee granted a rule for consideration of S. 3683, to establish an effective program to alleviate conditions of substantial and persistent unemployment in certain economically depressed areas. p. D814
3. MINERALS. The Rules Committee announced agreement to hold hearings on S. 4036, to provide stabilization payments to certain mineral producers. p. D814  
Agreed to the conference report on S. 2069, to amend the Mineral Leasing Act so as to promote the development of coal on the public domain. p. 15186

## RELATING TO THE TRANSFER OF FEDERAL EMPLOYEES FOR SERVICE WITH INTERNATIONAL ORGANIZATIONS

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AUGUST 7, 1958.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

---

Mr. DAVIS of Georgia, from the Committee on Post Office and Civil  
Service, submitted the following

### REPORT

[To accompany S. 4004]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 4004) to encourage and authorize details and transfers of Federal employees for service with international organizations, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE

The primary purpose of the bill is to provide improved means of making Federal specialist personnel available to international organizations for temporary periods of service in secretariat and technical assistance positions. These improved means would be obtained under the provisions of the bill by authorizing the detail of Federal personnel to international agencies, general authority for such details not now being available, and by authorizing the transfer of Federal personnel to such agencies without loss of Federal employment rights and benefits. A maximum period of 3 years is prescribed in the bill for either a transfer or detail.

Increasing the availability of Federal personnel for short periods of employment with international organizations will assist in present efforts to raise the percentage of well-qualified Americans occupying professional positions with these organizations. At the same time, the opportunities will be broadened for Federal personnel to acquire international experience of value to the Government.

#### COST AND ADMINISTRATIVE APPROVAL

No additional appropriation of funds should be required to carry out the provisions of the bill. Although section 4 (b) permits Federal agencies to pay the employer share of Federal retirement and life



insurance, the Department of State expects that in most instances arrangements can be made for international organizations to assume these payments.

This legislation is an official recommendation of the Department of State.

#### GENERAL STATEMENT

The United States Government participates in more than 40 international organizations, and plays a leading role in many of them. These organizations include the United Nations; specialized agencies of the United Nations like the Food and Agriculture Organization, the World Health Organization, the International Labor Organization; and other international bodies, such as the Intergovernmental Committee for European Migration and the Organization of American States. This participation on the part of the Government takes many forms, including substantial financial contributions each year. It is logical, therefore, that the Government take an active interest in the qualifications and the number of Americans serving in professional capacities with international organizations of which the United States is a member.

The Department of State has indicated that international agencies have experienced considerable difficulty in recent years in recruiting a sufficient number of well-qualified American specialists for secretariat and technical assistance positions. There are a variety of reasons for this difficulty. One of the main reasons is that international organization salary scales are now not as attractive to Americans as they once were. The result has been that the percentage of Americans occupying professional positions in several international organizations is undesirably low. These percentages may fall even lower unless the United States Government provides effective recruitment assistance to these organizations.

The Department of State has explained to the committee that international organizations will continue to draw employment candidates from foundations, from the faculties of educational institutions, and from private industry in the United States. However, it is clear that in addition to these recruiting sources one of the best and largest sources of personnel having the required training and experience is the Federal Government.

An examination made by the Department of State and the Civil Service Commission of the ways of making more Federal personnel available to international organizations disclosed that the existing machinery requires improvement in two major respects. First, general authority is needed to permit the detail of employees to international organizations, such details usually being for relatively short assignments on specialized problems; second, with regard to temporary transfers to international organizations, there is a need to protect Federal employees' rights and benefits which are now lost or only partially protected under the present transfer procedure.

Since many of the desired improvements require statutory rather than regulatory changes, the Department of State and the Civil Service Commission submitted a draft of proposed legislation which is contained in S. 4004. It should be pointed out that the transfer provisions of S. 4004 are similar in principle to provisions included in section 6 of the International Atomic Energy Agency Participation

Act of 1957 (22 U. S. C. 2025 (a)). The latter act, however, is restricted to transfers to only the one international agency, whereas S. 4004 includes all international organizations.

#### EXPLANATION OF THE BILL BY SECTIONS

Section 1 provides a short title for ready citation.

Section 2 provides definitions of terms used in the bill.

Section 3 (a) provides authority for heads of Federal agencies to detail employees to international organizations for periods not exceeding 3 years. Although section 3 (a) contains no specific prohibition against successive details, this section is not intended to allow unlimited successive details that in total exceed the 3-year limitation specified in the section. It is recognized that over a relatively long period of 9 or 10 years special circumstances may necessitate the detail of a single employee for periods that total more than 3 years. However, as a general rule the 3-year limitation is intended to prevent successive details that would exceed this limitation.

Section 3 (b) makes clear that employees preserve their normal Federal rights and benefits while on detail with an international organization.

Section 3 (c) authorizes details to be made on either a reimbursable or nonreimbursable basis.

Section 3 (d) authorizes a detailed employee to accept reimbursement for expenses (such as travel) directly from an international organization. This section is not intended to permit an employee to accept reimbursement from both the international organization and the Federal detailing agency for the same expense.

The committee has been assured by the Department of State that where international organizations directly reimburse a detailed employee for expenses, the Federal Government will not duplicate the reimbursement for the same expense.

Section 4 (a) authorizes transfers of Federal personnel to international organizations.

Section 4 (a) (1) authorizes the retention of Federal retirement coverage during the period of transfer if proper payments are made.

Section 4 (a) (2) authorizes the retention of Federal life insurance coverage during the period of transfer if proper payments are made.

Section 4 (a) (3) authorizes retention of coverage under the Federal Employees Compensation Act during the period of transfer.

Section 4 (a) (4) authorizes a transferred employee to retain his accumulated annual leave to his credit rather than to liquidate the annual leave by a lump-sum payment at time of transfer. This section is intended to operate entirely within the framework of the act of December 21, 1944 (5 U. S. C. 51b), providing for lump-sum payments for annual leave unused at time of separation, and the Annual and Sick Leave Act of 1951. The section is intended to protect the transferring employee's annual leave rights by reason of those acts; but it is not intended to place the employee in a more advantageous position than he otherwise would be entitled to under those acts.

Section 4 (2) (5) authorizes the granting of reemployment rights to transferred employees, except congressional employees, if the period of service with the international organization does not exceed 3 years.



This section specifies that the employee must apply for Federal reemployment not later than 90 days after his separation from the international organization and that if this is done, he must be reemployed within 30 days of such application for reemployment. It is the intention of the section that the employee's request for reemployment may be made prior to his separation from the international organization, the 90-day period referred to in this section being merely a maximum period establishing the limit of the employee's right to request reemployment.

Section 4 (a) (6) entitles other than a congressional employee, upon reemployment, to the rate of basic compensation to which he would have been entitled had he remained in the Federal service. The section also allows the recrediting of sick leave upon reemployment, as well as permitting the period of employment with the international organization to be counted as creditable service for all appropriate Federal employment purposes.

Section 4 (b) authorizes the transferring Federal agency to contribute the employer's share of Federal retirement and insurance deposits during the employee's period of service with the international organization.

Section 4 (c) stipulates that computations—for example, the amount of the contribution for Federal retirement and life insurance coverage—shall be based on the employee's Federal salary rate rather than on the salary the employee earns while with the international organization.

Section 4 (d) reemphasizes that the provisions of section 4 apply to transfers for periods of no longer than 3 years, except that for retirement and insurance purposes this section shall continue to apply during the authorized period in which an employee is effecting reemployment.

Section 5 authorizes the President to prescribe necessary rules and regulations to carry out the provisions of the act.

Section 6 provides that the effective date of the act shall be the date of its enactment except that, under circumstances prescribed in the section, certain Federal employees now serving with international organizations may apply for coverage under the act.

Section 7 repeals section 6 (a) of the International Atomic Energy Agency Participation Act of 1957 (22 U. S. C. 2025 (a)) with certain exceptions.

#### NUMBER OF EMPLOYEES AFFECTED

As to the effect of the bill in terms of numbers of Federal personnel, the Department of State estimates that opportunities in any given year would not permit more than from 40 to 60 Federal employees to transfer to international organizations. Opportunities to detail Federal employees might number an additional 40 to 50, most of which would involve short-term assignments. The committee was assured that there is no intent in the bill to detail or transfer a Federal employee to an international organization without the consent of the employee.

#### PUBLIC HEARINGS

Public hearings on the bill were held on August 5, 1958. Favorable testimony was received from representatives of the Department of State and the Civil Service Commission, with the approval of the

Bureau of the Budget. There was no testimony in opposition to the bill.

#### REQUEST FOR LEGISLATION

The following is a letter from the Secretary, Department of State, requesting this legislation:

DEPARTMENT OF STATE,  
Washington, June 5, 1958.

HON. SAM RAYBURN,  
*Speaker of the House of Representatives.*

DEAR MR. SPEAKER: I submit herewith a draft of a proposed bill to encourage and authorize the detail and transfer of Federal employees for periods of service with public international organizations in which the United States Government participates. The proposed bill, which does not involve a request for funds, is explained in some detail in a supporting statement and in a sectional analysis that are enclosed.

Section 6 (a) of the International Atomic Energy Agency Act of 1957 (Public Law 85-177) authorizes retention of Federal retirement, life insurance and certain other rights and privileges by Federal personnel who transfer for a limited period of service with the International Atomic Energy Agency. It is the purpose of the enclosed proposed bill to authorize retention of similar benefits by Federal personnel who transfer for a limited period of service with other public international organizations. In addition, the proposed bill would grant authority to Federal agency heads to detail Federal personnel to international organizations when such an arrangement is deemed more satisfactory than a transfer.

The proposed bill, which was drafted with the assistance of the United States Civil Service Commission, is designed to make more effective the participation of the United States Government in public international organizations by: (1) Establishing an improved means of encouraging more Federal personnel to serve with international organizations, thus assisting efforts to increase the number of Americans in such organizations; (2) providing international organizations with well-trained American personnel who can be expected to make a valuable contribution to the work of the organization; and (3) permitting an increased number of Federal personnel to acquire specialized experience of value to the Government. Therefore it is hoped that the Congress will be able to take action on the bill in the current session.

A similar communication is being sent to the President of the Senate.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposal to the Congress for its consideration.

Sincerely yours,

JOHN FOSTER DULLES.

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as passed by the Senate, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, existing law in which no change is proposed is shown in roman):



## SECTION 6 OF THE INTERNATIONAL ATOMIC ENERGY AGENCY PARTICIPATION ACT OF 1957 (22 U. S. C. 2025)

SEC. 6. [(a)<sup>1</sup> Notwithstanding any other provision of law, Executive order or regulation, a Federal employee who, with the approval of the Federal agency or the head of the department by which he is employed, leaves his position to enter the employ of the Agency shall not be considered for the purposes of the Civil Service Retirement Act, as amended, and the Federal Employees' Group Life Insurance Act of 1954, as amended, as separated from his Federal position during such employment with the Agency but not to extend beyond the first three consecutive years of his entering the employ of the Agency: *Provided*, (1) That he shall pay to the Civil Service Commission within ninety days from the date he is separated without prejudice from the Agency all necessary deductions and agency contributions for coverage under the Civil Service Retirement Act for the period of his employment by the Agency, and (2) That all deductions and agency contributions necessary for continued coverage under the Federal Employees' Group Life Insurance Act of 1954, as amended, shall be made during the term of his employment with the International Atomic Energy Agency. If such employee, within three years from the date of his employment with the Agency, and within ninety days from the date he is separated without prejudice from the Agency, applies to be restored to his Federal position, he shall within thirty days of such application be restored to such position or to a position of like seniority, status and pay.]

(b) Notwithstanding any other provision of law, Executive order or regulation, any Presidential appointee or elected officer who leaves his position to enter, or who within ninety days after the termination of his position enters, the employ of the Agency, shall be entitled to the coverage and benefits of the Civil Service Retirement Act, as amended, and the Federal Employees' Group Life Insurance Act of 1954, as amended, but not beyond the earlier of either the termination of his employment with the Agency or the expiration of three years from the date he entered employment with the Agency: *Provided*, (1) That he shall pay to the Civil Service Commission within ninety days from the date he is separated without prejudice from the Agency all necessary deductions and agency contributions for coverage under the Civil Service Retirement Act for the period of his employment by the Agency, and (2) that all deductions and agency contributions necessary for continued coverage under the Federal Employees' Group Life Insurance Act of 1954, as amended, shall be made during the term of his employment with the Agency.

(c) The President is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section and to protect the retirement, insurance and such other civil service rights and privileges as the President may find appropriate.

<sup>1</sup> Sec. 7 of the bill repeals sec. 6 (a) of the International Atomic Energy Agency Participation Act of 1957 (22 U. S. C. 2025 (a)), except that the bill provides that such sec. 6 (a) be considered to remain in effect with respect to any employee subject thereto who is serving as an employee of the International Atomic Energy Agency on the date of enactment of the bill and who does not make the election referred to in sec. 6 of the bill, and for the purposes of any rights and benefits vested thereunder prior to such date.





# Union Calendar No. 1036

85TH CONGRESS  
2D SESSION

## S. 4004

[Report No. 2509]

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### IN THE HOUSE OF REPRESENTATIVES

JULY 22, 1958

Referred to the Committee on Post Office and Civil Service

AUGUST 7, 1958

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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## AN ACT

To encourage and authorize details and transfers of Federal employees for service with international organizations.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "Federal Employees In-  
4       ternational Organization Service Act."

### DEFINITIONS

5  
6       SEC. 2. As used in this Act—

7       (1) "International organization" means every public  
8       international organization or international-organization pre-  
9       paratory commission in which the United States Government  
10      participates.

11      (2) "Federal agency" means any department or agency



1 in the executive branch of the United States Government  
2 including independent establishments and Government owned  
3 or controlled corporations, and any employing authority in  
4 the legislative branch of the United States Government.

5 (3) "Employee" means any civilian appointive officer  
6 or employee in or under the executive or the legislative  
7 branch of the United States Government.

8 (4) "Congressional employee" means those included in  
9 the definition of that term contained in the Civil Service  
10 Retirement Act.

11 (5) "Transfer" means the change of position by an em-  
12 ployee from a Federal agency to an international organiza-  
13 tion.

14 (6) "Detail" means the assignment or loan of an em-  
15 ployee to an international organization without the em-  
16 ployee's transfer from the Federal agency by which he is  
17 employed.

18 (7) "Reemployment" means either the reemployment of  
19 an employee pursuant to section 4 (a) (5), or the reemploy-  
20 ment of a Congressional employee within ninety days from  
21 the date of his separation from the international organization,  
22 following a term of employment not extending beyond the  
23 period specified by the head of the Federal agency at the time  
24 of consent to transfer or, in the absence of such a specified  
25 period, not extending beyond the first three consecutive

1 years of his entering the employ of the international organ-  
2 ization.

3 DETAILS

4 SEC. 3. (a) The head of any Federal agency is author-  
5 ized to detail for a period not exceeding three years any  
6 employee of his department or agency to an international  
7 organization requesting services.

8 (b) Any employee while so detailed shall be considered  
9 for the purpose of preserving his allowances, privileges,  
10 rights, seniority, and other benefits, to be an employee of the  
11 Federal agency from which detailed and he shall continue to  
12 receive compensation, allowances, and benefits from funds  
13 available to that agency. The authorization of such allow-  
14 ances and other benefits and the payment thereof out of any  
15 appropriations available therefor shall be considered as meet-  
16 ing all the requirements of section 1765 of the Revised  
17 Statutes.

18 (c) Details may be made under this section—

19 (1) without reimbursement to the United States by  
20 the international organization; or

21 (2) with agreement by the international organiza-  
22 tion to reimburse the United States for compensation,  
23 travel expenses, and allowances, or any part thereof,  
24 payable during the period of detail in accordance with  
25 subsections (a) and (b), and such reimbursement shall

1 be credited to the appropriation, fund, or account utilized  
2 for paying such compensation, travel expenses, or allow-  
3 ances.

(d) Nothing in section 1914 of title 18, United States Code, relative to augmenting salaries of Government employees shall prevent an employee detailed under this section from being paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail.

10 TRANSFERS

11        SEC. 4. (a) Notwithstanding the provisions of any law,  
12    Executive order, or regulation, any employee serving under  
13    a Federal appointment not limited to one year or less who  
14    transfers to an international organization is entitled to the  
15    following, if the transfer is made with the consent of the head  
16    of his agency, except that the provisions of paragraph (5)  
17    relating to reemployment rights, and the provisions of para-  
18    graph (6) relating to rates of basic compensation payable  
19    upon reemployment shall not apply to Congressional em-  
20    ployees:

(1) To retain coverage and all rights and benefits under any system established by law for the retirement of civilian employees of the United States, if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of



1 employment with the international organization are cur-  
2 rently deposited in the system's fund or depository, and for  
3 such purpose service as an officer or employee of the inter-  
4 national organization shall be considered to be creditable  
5 service under any such system.

6 (2) To retain coverage and all rights and benefits under  
7 the Federal Employees' Group Life Insurance Act of 1954,  
8 as amended (5 U. S. C., ch. 24), if all necessary employee  
9 deductions and agency contributions in payment for such  
10 coverage, rights, and benefits for the period of employment  
11 with the international organization are currently deposited in  
12 the Employees' Life Insurance Fund created by section 5  
13 (c) of the Federal Employees' Group Life Insurance Act  
14 of 1954, as amended (5 U. S. C. 2094 (c)), and for such  
15 purpose service as an officer or employee of the international  
16 organization shall be considered to be service as an officer  
17 or employee of the United States.

18 (3) To retain coverage and all rights and benefits under  
19 the Federal Employees' Compensation Act, as amended (5  
20 U. S. C., ch. 15), and for this purpose his employment with  
21 the international organization shall be deemed to be employ-  
22 ment by the United States. However, in any case in which  
23 the injured employee, or his dependents in case of death,  
24 receives from the international organization any payment



1 (including any allowance, gratuity, payment under an  
2 insurance policy for which the premium is wholly paid by  
3 that organization, or other benefit of any kind), on account  
4 of the same injury or death, the amount of such payments  
5 shall be credited against any benefits payable under the Fed-  
6 eral Employees' Compensation Act as follows: (A) pay-  
7 ments on account of injury or disability shall be credited  
8 against disability compensation payable to the injured em-  
9 ployee; and (B) payments on account of death shall be  
10 credited against death compensation payable to dependents  
11 of the deceased employee.

12 (4) To elect to retain to his credit all accumulated and  
13 current accrued annual leave to which entitled at the time  
14 of transfer to an international organization which would  
15 otherwise be liquidated by a lump-sum payment. On the re-  
16 quest of an employee at any time prior to reemployment, pay-  
17 ment shall be made for all of the leave retained. In any case  
18 in which an employee receives a lump-sum payment and re-  
19 employment occurs within six months following the date of  
20 the transfer, such employee shall refund to the Federal  
21 agency the amount of the lump-sum payment. This subsec-  
22 tion shall under no circumstances operate so as to cause a  
23 forfeiture of retained leave following reemployment or to de-  
24 prive an employee of any lump-sum payment to which he  
25 would otherwise be entitled.

1       (5) To be reemployed within thirty days of his appli-  
2 cation for reemployment in his former position or a position  
3 of like seniority, status, and pay in the agency from which  
4 he transferred, if he is separated from the international or-  
5 ganization within three years after the date on which he en-  
6 tered on duty with the international organization, or within  
7 such shorter period as may be specified by the head of the  
8 Federal agency at the time of consent to transfer, and he ap-  
9 plies for reemployment not later than ninety days after the  
10 separation.

11       (6) Upon reemployment, to the rate of basic compen-  
12 sation to which he would be entitled had he remained in the  
13 Federal service. Upon reemployment, the sick leave account  
14 of the employee shall be restored by credit or charge to its  
15 status at the time he left the Federal service; and the period  
16 of separation caused by his employment with the international  
17 organization and the period necessary to effect reemployment  
18 shall be considered creditable service for all appropriate  
19 Federal employment purposes.

20       (b) During the employee's period of service with the in-  
21 ternational organization, the agency contribution for retire-  
22 ment and insurance purposes may be made from the appro-  
23 priations or funds of the Federal agency from which the  
24 employee transferred.

25       (c) All computations under this Act prior to reemploy-

1 ment shall be made in the same manner as if the employee  
2 had received basic compensation (or basic compensation plus  
3 additional compensation in the case of a congressional em-  
4 ployee) at the rate at which it would have been payable had  
5 the employee continued in the position in which he was  
6 serving at the time of his transfer.

7 (d) The provisions of this section shall apply only with  
8 respect to so much of any period of employment with an  
9 international organization as does not exceed three years or  
10 such shorter period as may be specified by the head of the  
11 Federal agency from which the employee is transferred at  
12 the time of consent to transfer, except that for retirement  
13 and insurance purposes this section shall continue to apply  
14 during the period in which a congressional employee is  
15 effecting or could effect a reemployment or an employee other  
16 than a congressional employee is properly exercising or  
17 could exercise the reemployment right established by sub-  
18 section (a) (5). During that reemployment period, the  
19 employee shall be considered to be on leave without pay for  
20 retirement and insurance purposes.

21

#### REGULATIONS

22 SEC. 5. The President is authorized to prescribe the  
23 necessary rules and regulations to carry out the provisions  
24 of this Act and to protect and assure the retirement, insur-



1   ance, leave, and reemployment rights and such other similar  
2   Federal employment rights as he may find appropriate.  
3   These regulations may provide for the exclusion of employees  
4   from coverage hereunder on the basis of the nature and type  
5   of employment such as, but not limited to, excepted appoint-  
6   ments of a confidential or policy-determining character, or  
7   conditions pertaining to the employment such as, but not  
8   limited to, short-term appointments, seasonal or intermittent  
9   employment, and part-time employment.

10                   **EFFECTIVE DATE**

11       **SEC. 6.** This Act shall take effect on the date of its enact-  
12   ment except that any present employee of an international  
13   organization who entered on duty with the organization by  
14   transfer under Executive Order 9721 of May 10, 1946,  
15   as amended by Executive Order 10103 of February 1, 1950,  
16   or under the International Atomic Energy Agency Partici-  
17   pation Act of 1957, not earlier than three years prior to the  
18   date of enactment, may elect to have coverage hereunder for  
19   the remainder of the three-year term if the head of the Fed-  
20   eral agency from which he transferred consents to that cov-  
21   erage.

22                   **REPEAL PROVISION**

23       **SEC. 7.** Section 6 (a) of the International Atomic  
24   Energy Agency Participation Act of 1957 (22 U. S. C.



1 2025 (a) ), is repealed except that it shall be considered to  
2 remain in effect with respect to any employee subject thereto  
3 who is serving as an employee of the International Atomic  
4 Energy Agency on the date of enactment of this Act and  
5 who does not make the election referred to in section 6,  
6 and for the purposes of any rights and benefits vested there-  
7 under prior to such date.

Passed the Senate July 21, 1958.

Attest:

FELTON M. JOHNSTON,

*Secretary.*



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# AN ACT

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To encourage and authorize details and transfers of Federal employees for service with international organizations.

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JULY 22, 1958

Referred to the Committee on Post Office and Civil  
Service

AUGUST 7, 1958

Committed to the Committee of the Whole House on  
the State of the Union and ordered to be printed





AN ACT

To amend the Code of Alabama to provide for the establishment of a

commission to study and report on the feasibility of establishing a

commission to study and report on the feasibility of establishing a

House - Aug. 18, 1958

11. PERSONNEL. Passed as reported H. R. 9407, to provide additional opportunity for certain employees to obtain career-conditional and career appointments in the competitive service. p. 16848  
Passed without amendment S. 4004, to encourage transfers of Federal employees for service with international organizations. This bill will now be sent to the President. pp. 16849-49  
Passed as reported S. 3195, to authorize certain retired Federal personnel to accept and wear decorations, presents, and other things tendered them by certain foreign countries. pp. 16850-66
  12. INSPECTION SERVICES. Passed without amendment S. 3873, to permit the interchange of inspection services between executive agencies without reimbursement or transfer of funds. This bill will now be sent to the President. p. 16867
  13. MINING CLAIMS. Passed over without prejudice, at the request of Rep. Saylor, S. 2039, to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor. p. 16867
  14. EDUCATION. The Rules Committee reported a resolution for consideration of H. R. 13247, the national defense education bill. p. 16887
  15. SALINE WATER. The "Daily Digest" states that conferees agreed to file a report on "S. J. Res. 135, relating to the conversion of saline water to potable uses." p. D871
  16. LEGISLATIVE PROCEDURE. Rep. Arends objected to scheduling numerous bills in the House for consideration under suspension of the rules, stating that "some of these bills you have scheduled are of major importance and highly controversial and extremely costly to the American people." p. 16804
- SENATE
17. FARM PROGRAM. Concurred in the House amendment to S. 4071, the Senate farm bill. This bill will now be sent to the President. (pp. 16748-59) See Digest 140 regarding provisions of the House Amendment.
  18. FARM LABOR. Passed without amendment H. R. 10360, to extend the Mexican farm labor program until June 30, 1961. This bill will now be sent to the President. p. 16659
  19. LIVESTOCK DISEASES. Passed as reported H. R. 12126, to extend to wild animals the same prohibition against entry into the U. S. as domestic animals from any country where rinderpest or foot-or-mouth disease exists. p. 16661
  20. MARGARINE. Passed with amendment H. R. 912, to amend the Navy ration statute to permit the serving of oleo or margarine. pp. 16661-2
  21. TEXTILES. Passed with amendments H. R. 469, to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products. (pp. 16720-1, 16725, 16726-45)  
Adopted the committee amendments, and an amendment by Sen. Javits, to eliminate language requiring the labeling of the containers of imported textile products (p. 16744).



22. WATER RESOURCES. Passed with amendments H. R. 5497, to authorize Federal assistance for certain fish and wildlife development projects under the Watershed Protection and Flood Prevention Act. Agreed to two amendments by Sen. Cotton to exclude recreational facilities from the bill. pp. 16716-19
- Passed with amendment H. R. 12216, to designate a dam on the Cumberland River near Carthage, Tenn., as the Cordell Hull Dam, and to establish a U. S. study commission on certain Texas river basins. pp. 16634-5
- Passed without amendment H. J. Res. 585, to authorize the Secretary of the Interior to conduct studies into the feasibility of furnishing water from the Central Valley Project to the counties of Santa Clara, San Benito, Santa Cruz, and Monterey, Calif., by way of the Pacheco Tunnel route or other means. This measure will now be sent to the President. p. 16638
- Sen. Neuberger discussed S. 3185, to require the FPC to secure approval by the Secretary of the Interior of any license affecting fish and wildlife resources. He asserted that the amendment proposed by Sen. Morse, to require only that the FPC receive recommendations but not be bound by them, would maintain the present situation in FPC, which, he alleged, "has neither special competence nor special sympathy for conservation goals and methods, when they would militate against construction of a power project." pp. 16622-26
- Sen. Watkins inserted two articles on Russian hydro-power development which asserted that their program was behind schedule, and greater emphasis was now being placed on thermal power generation. pp. 16617-18
- Sen. Johnson discussed the development of Texas' water resources and urged the development of a unified program. pp. 16611-12
23. FORESTRY. Passed without amendment H. R. 8481, to extend title IV of the Agricultural Act of 1956, relating to forestry, to Hawaii. This bill will now be sent to the President. p. 16638
- Sen. Humphrey inserted resolutions from the cities of Tower, Eveleth, and Kinney, Minn., urging the appropriation of additional funds for construction projects planned for the Superior National Forest. p. 16613
24. LAND UTILIZATION. Passed without amendment H. R. 12494, to authorize this Department, in selling or agreeing to the sale of certain lands to N. C., to permit the State to sell or exchange such lands for private purposes. This bill will now be sent to the President. p. 16638
25. ELECTRIFICATION. Passed without amendment S. 3571, to provide for equal treatment of all State-owned hydro-electric power projects with respect to the taking over of such projects by the U. S. p. 16633
- Sen. Humphrey inserted a resolution from the East River Electric Power Cooperative urging the enactment of S. 2990 and H. R. 11762, to transfer certain REA functions from the Secretary to the REA Administrator. pp. 16612-13
26. RESEARCH. Passed with amendment S. 3268, to provide various amendments to the National Science Foundation Act. pp. 16631-2
27. ADMINISTRATIVE ORDERS. The Judiciary Committee reported without amendment H. R. 6789, to provide for reasonable notice of applications to the U. S. courts of appeals for interlocutory relief against the orders of certain administrative agencies (S. Rept. 2435). p. 16613
28. FOOD ADDITIVES. The Labor and Public Welfare Committee reported with amendments H. R. 13254, to amend the Federal Food, Drug, and Cosmetic Act so as to prohibit the use in foods of additives which have not been adequately tested to establish their safety (S. Rept. 2422). p. 16613



### AMENDING THE INTERCOASTAL SHIPPING ACT

The Clerk called the bill (H. R. 12125) to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 4196) be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the first paragraph of section 2 of the Intercoastal Shipping Act, 1933 (47 Stat. 1425) as amended, (U. S. C., title 46, section 844) is amended to read as follows:

"SEC. 2. That every common carrier by water in intercoastal commerce shall file with the Federal Maritime Board and keep open to public inspection schedules showing all the rates, fares, and charges for or in connection with transportation between intercoastal points on its own route; and, if a through route has been established, all the rates, fares, and charges for or in connection with transportation between intercoastal points on its own route and points on the route of any other carrier by water. The schedules filed, and kept open to public inspection as aforesaid by any such carrier shall plainly show the places between which passengers and/or freight will be carried, and shall contain the classification of freight and of passenger accommodations in force, and shall also state separately each terminal or other charge, privilege, or facility, granted or allowed, and any rules or regulations which in anywise change, affect, or determine any part or the aggregate of such aforesaid rates, fares, or charges, or the value of the service rendered to the passenger consignor, or consignee, and shall include the terms and conditions of any passenger ticket, bill of lading, contract of affreightment, or other document evidencing the transportation agreement. The terms and conditions as filed with the Federal Maritime Board shall be framed under glass and posted in a conspicuous place on board each vessel where they may be seen by passengers and others at all times. Such carriers in establishing and fixing rates, fares, or charges may make equal rates, fares, or charges for similar service between all ports of origin and all ports of destination, and it shall be unlawful for any such carrier, either directly or indirectly, through the medium of any agreement, conference, association, understanding, or otherwise, to prevent or attempt to prevent any such carrier from extending service to any publicly owned terminal located on any improvement project authorized by the Congress at the same rates which it charges at its nearest regular port of call. Such schedules shall be plainly printed, and copies shall be kept posted in a public and conspicuous place at every wharf, dock, and office of such carrier where passengers or freight are received for transportation, in such manner that they shall be readily accessible to the public and can be conveniently inspected. In the event that any such schedule includes the terms and conditions of any passenger ticket, bill of lading, contract of affreightment or other document evidencing the transportation agreement, as herein provided, copies of such terms and conditions shall be made available to any shipper, consignee, or passenger upon request. Such terms and conditions, if filed as permitted by this section and framed under glass and posted in a conspicuous place on board each vessel where

they may be seen by passengers and others at all times, may be incorporated by reference in a short form of same actually issued for the transportation, or in a dock receipt or other document issued in connection therewith, by notice printed on the back of each document that all parties to the contract are bound by the terms and conditions as filed with the Federal Maritime Board and posted on board each vessel, and when so incorporated by reference every carrier and any other person having any interest or duty in respect of such transportation shall be deemed to have such notice thereof as if all such terms and conditions had been set forth in the short form document."

Mr. DINGELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 2, line 12, after the word "part" delete "or" and insert "of."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 12125) was laid on the table.

### LEASE OF PAPAGO TRIBAL LAND

The Clerk called the bill (S. 4167) to authorize the lease of Papago tribal land to the National Science Foundation, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Papago Indian Tribe, with the approval of the Secretary of the Interior, is authorized to lease to the National Science Foundation, for the construction of an astronomical observatory, approximately 2,400 acres, more or less, of tribal land on the Papago Indian Reservation, and to grant to the National Science Foundation, or to an agency designated by it, permanent rights-of-way across the Papago Indian Reservation for roads and utilities needed in connection with such observatory. The term of the lease shall be for as long as the property is used for scientific purposes and may provide for an initial payment of not to exceed \$25,000 in addition to annual rental fees. The lease shall also prescribe the terms and conditions under which the tribe may jointly use that portion of the leased area not specifically needed for the observatory.

SEC. 2. The National Science Foundation is hereby authorized to expend appropriated funds for construction on the leased land described above, on behalf of the Federal Government, an optical astronomical observatory, including telescopes, administration buildings, and other structures deemed necessary and desirable by the Foundation for creation of a scientific facility appropriate for use by the Nation's astronomers.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### CONVEY LANDS ON HUNTLEY RECLAMATION PROJECT, MONTANA

The Clerk called the bill (S. 1742) to amend the acts approved April 16 and July 27, 1906 (34 Stat. 116 and 519), so as to authorize the Secretary of the Interior to convey certain lands in the Huntley reclamation project, Yellowstone County, Mont., to school district

No. 24, Huntley Project Schools, Yellowstone County, Mont.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

### RED LAKE BAND OF CHIPPEWA INDIANS

The Clerk called the bill (S. 2922) to authorize per capita payments to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom \$100 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this act. Such payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 2. No money paid to Indians under this act shall be subject to any lien or claim of attorneys, or other persons.

SEC. 3. Payments made under this act shall not be held to be "other income and resources" as that term is used in sections 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302 (a), (7), 602 (a) (7), and 1202 (a) (8)).

SEC. 4. The nineteenth paragraph of section 9 of the act of May 18, 1916 (39 Stat. 123, 138), is amended to read as follows:

"After the payment of all expenses connected with the administration of these lands as herein provided, the net proceeds therefrom shall be covered into the Treasury of the United States to the credit of the Red Lake Indians and draw interest at the rate of 4 percent per annum. Any part of such fund or the interest thereon that is in excess of reserve and operating requirements, as determined by the Secretary of the Interior, may be distributed per capita to the members of the Red Lake band upon request of the tribal council and approved by the Secretary."

SEC. 5. Paragraph 17 of section 9 of the act of May 18, 1916 (39 Stat. 123, 137), as amended by the act of August 3, 1956 (70 Stat. 982), is amended by deleting from clause (a) thereof, with the consent of the tribal council,

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### MAILING OF OBSCENE MATTER

The Clerk called the bill (H. R. 4383) to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.



Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 4287, be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That section 2 of the act entitled "An act to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases", approved July 27, 1956 (Public Law 821, 84th Congress; 70 Stat. 700), is hereby amended to read as follows:

"SEC. 2. The provisions of this act shall not apply to mail addressed to publishers of publications which have entry as second-class matter under the act of March 3, 1879, as amended (ch. 180, 20 Stat. 358; 39 U. S. C. 221, and the following), or to mail addressed to the agents of such publishers."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4383) was laid on the table.

#### CAREER AND CAREER-CONDITIONAL APPOINTMENTS

The Clerk called the bill (H. R. 9407) to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That each employee of the Federal Government or of the municipal government of the District of Columbia who—

(1) on November 10, 1955, was serving in the excepted service in a position listed under schedule A or B of rule VI of the Civil Service rules which was removed from the competitive civil service subsequent to January 23, 1955;

(2) served in a position or positions in the competitive civil service without break in service from January 23, 1955, to the date of the removal of his position as specified in subparagraph (1) of this section;

(3) (A) during the period beginning June 3, 1950, and ending January 23, 1955, passed a qualifying examination for a position in the competitive civil service in which he served during such period, or (B) within 1 year after the effective date of this section meets such noncompetitive examination standards as the United States Civil Service Commission shall prescribe with respect to the position which he held at the time his position was removed from the competitive civil service; and

(4) has completed, prior to November 10, 1956, a total of continuous or intermittent satisfactory service aggregating not less than 3 years on the rolls in a position in or under the Federal Government or the municipal government of the District of Columbia;

may, upon approval of his application made to the United States Civil Service Commission within 1 year after the effective date of this section, be reappointed without competitive examination to a position in the competitive civil service for which he is qualified. Such reappointment (except reappointment to a position involving temporary job employment) shall be a career-conditional appointment or a career appointment, as determined under the appropriate United States Civil Service Commission regulations governing career-conditional and career appointments.

SEC. 2. The United States Civil Service Commission is hereby authorized and directed to promulgate such rules and regulations as it determines to be necessary to carry out the provisions of this act.

SEC. 3. Nothing in this act shall affect, or be construed to affect, the application of section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, 82d Cong.), as amended.

SEC. 4. The foregoing sections of this act shall become effective on the 90th day following the date of enactment of this act.

With the following committee amendments:

Page 1, line 3, immediately after the word "That", insert "(a)."

Page 3, immediately following line 3, insert the following new subsection:

"(b) Each employee of the Federal Government or of the municipal government of the District of Columbia who met the requirements of the act entitled 'An act to provide for the granting of career-conditional and career appointments to certain qualified employees', approved August 12, 1955 (Public Law 380, 84th Cong.), but did not file application for the benefits of such act prior to November 10, 1956, because of administrative error by the department, agency, or establishment in which he was employed, may file his application for the benefits of such act within 1 year after the effective date of this section."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DISPATCH OF MAIL FROM POST OFFICES

The Clerk called the bill (H. R. 10496) to revise the law relating to the dispatch of mail from post offices, and for other purposes.

There being no objection, the clerk read the bill, as follows:

*Be it enacted, etc.,* That section 3840 of the Revised Statutes (39 U. S. C. 6) is amended by striking out the comma and the words "not exceeding 1 hour" immediately following the word "accordingly."

With the following committee amendment:

Line 4, strike out "the comma and the words 'not exceeding 1 hour' immediately following the word 'accordingly' and insert '1 hour' and inserting in lieu thereof '3 hours'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### TRANSFER OF FEDERAL EMPLOYEES FOR SERVICE WITH INTERNATIONAL ORGANIZATIONS

The Clerk called the bill (S. 4004) to encourage and authorize details and transfers of Federal employees for service with international organizations.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That this act may be cited as the "Federal Employees International Organization Service Act."

#### DEFINITIONS

SEC. 2. As used in this act—

(1) "International organization" means every public international organization or international-organization preparatory commission in which the United States Government participates.

(2) "Federal agency" means any department or agency in the executive branch of the United States Government including independent establishments and Government owned or controlled corporations, and any employing authority in the legislative branch of the United States Government.

(3) "Employee" means any civilian appointive officer or employee in or under the executive or the legislative branch of the United States Government.

(4) "Congressional employee" means those included in the definition of that term contained in the Civil Service Retirement Act.

(5) "Transfer" means the change of position by an employee from a Federal agency to an international organization.

(6) "Detail" means the assignment or loan of an employee to an international organization without the employee's transfer from the Federal agency by which he is employed.

(7) "Reemployment" means either the reemployment of an employee pursuant to section 4 (a) (5), or the reemployment of a Congressional employee within 90 days from the date of his separation from the international organization, following a term of employment not extending beyond the period specified by the head of the Federal agency at the time of consent to transfer or, in the absence of such a specified period, not extending beyond the first three consecutive years of his entering the employ of the international organization.

#### DETAILS

SEC. 3. (a) The head of any Federal agency is authorized to detail for a period not exceeding 3 years any employee of his department or agency to an international organization requesting services.

(b) Any employee while so detailed shall be considered for the purpose of preserving his allowances, privileges, rights, seniority, and other benefits, to be an employee of the Federal agency from which detailed and he shall continue to receive compensation, allowances, and benefits from funds available to that agency. The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 1765 of the Revised Statutes.

(c) Details may be made under this section—

(1) without reimbursement to the United States by the international organization; or

(2) with agreement by the international organization to reimburse the United States for compensation, travel expenses, and allowances, or any part thereof, payable during the period of detail in accordance with subsections (a) and (b), and such reimbursement shall be credited to the appropriation, fund, or account utilized for paying such compensation, travel expenses, or allowances.

(d) Nothing in section 1914 of title 18, United States Code, relative to augmenting salaries of Government employees shall prevent an employee detailed under this section from being paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail.

#### TRANSFERS

SEC. 4. Notwithstanding the provisions of any law, Executive order, or regulation, any employee serving under a Federal appointment not limited to 1 year or less who transfers to an international organization is entitled to the following, if the transfer is made with the consent of the head of his



agency, except that the provisions of paragraph (5) relating to reemployment rights, and the provisions of paragraph (6) relating to rates of basic compensation payable upon reemployment shall not apply to Congressional employees:

(1) To retain coverage and all rights and benefits under any system established by law for the retirement of civilian employees of the United States, if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the system's fund or depository, and for such purpose service as an officer or employee of the international organization shall be considered to be creditable service under any such system.

(2) To retain coverage and all rights and benefits under the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C., ch. 24), if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the Employees' Life Insurance Fund created by section 5 (c) of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C. 2094 (c)), and for such purpose service as an officer or employee of the international organization shall be considered to be service as an officer or employee of the United States.

(3) To retain coverage and all rights and benefits under the Federal Employees' Compensation Act, as amended (5 U. S. C., ch. 15), and for this purpose his employment with the international organization shall be deemed to be employment by the United States. However, in any case in which the injured employee, or his dependents in case of death, receives from the international organization any payment (including any allowance, gratuity, payment under an insurance policy for which the premium is wholly paid by that organization, or other benefit of any kind), on account of the same injury or death, the amount of such payments shall be credited against any benefits payable under the Federal Employees' Compensation Act as follows: (A) payments on account of injury or disability shall be credited against disability compensation payable to the injured employee; and (B) payments on account of death shall be credited against death compensation payable to dependents of the deceased employee.

(4) To elect to retain to his credit all accumulated and current accrued annual leave to which entitled at the time of transfer to an international organization which would otherwise be liquidated by a lump-sum payment. On the request of an employee at any time prior to reemployment, payment shall be made for all of the leave retained. In any case in which an employee receives a lump-sum payment and reemployment occurs within 6 months following the date of the transfer, such employee shall refund to the Federal agency the amount of the lump-sum payment. This subsection shall under no circumstances operate so as to cause a forfeiture of retained leave following reemployment or to deprive an employee of any lump-sum payment to which he would otherwise be entitled.

(5) To be reemployed within 30 days of his application for reemployment in his former position or a position of like seniority, status, and pay in the agency from which he transferred, if he is separated from the international organization within 3 years after the date on which he entered on duty with the international organization, or within such shorter period as may be specified by the head of the Federal agency at the time of consent to transfer, and he applies for reemployment not later than 90 days after the separation.

(6) Upon reemployment, to the rate of basic compensation to which he would be entitled had he remained in the Federal service. Upon reemployment, the sick leave account of the employee shall be restored by credit or charge to its status at the time he left the Federal service; and the period of separation caused by his employment with the international organization and the period necessary to effect reemployment shall be considered creditable service for all appropriate Federal employment purposes.

(b) During the employee's period of service with the international organization, the agency contribution for retirement and insurance purposes may be made from the appropriations or funds of the Federal agency from which the employee transferred.

(c) All computations under this act prior to reemployment shall be made in the same manner as if the employee had received basic compensation (or basic compensation plus additional compensation in the case of a congressional employee) at the rate at which it would have been payable had the employee continued in the position in which he was serving at the time of his transfer.

(d) The provisions of this section shall apply only with respect to so much of any period of employment with an international organization as does not exceed 3 years or such shorter period as may be specified by the head of the Federal agency from which the employee is transferred at the time of consent to transfer, except that for retirement and insurance purposes this section shall continue to apply during the period in which a congressional employee is effecting or could effect a reemployment or an employee other than a congressional employee is properly exercising or could exercise the reemployment right established by subsection (a) (5). During that reemployment period, the employee shall be considered to be on leave without pay for retirement and insurance purposes.

#### REGULATIONS

SEC. 5. The President is authorized to prescribe the necessary rules and regulations to carry out the provisions of this act and to protect and assure the retirement, insurance, leave, and reemployment rights and such other similar Federal employment rights as he may find appropriate. These regulations may provide for the exclusion of employees from coverage hereunder on the basis of the nature and type of employment such as, but not limited to, excepted appointments of a confidential or policy-determining character, or conditions pertaining to the employment such as, but not limited to, short-term appointments, seasonal or intermittent employment, and part-time employment.

#### EFFECTIVE DATE

SEC. 6. This act shall take effect on the date of its enactment except that any present employee of an international organization who entered on duty with the organization by transfer under Executive Order 9721 of May 10, 1946, as amended by Executive Order 10103 of February 1, 1950, or under the International Atomic Energy Agency Participation Act of 1957, not earlier than 3 years prior to the date of enactment, may elect to have coverage hereunder for the remainder of the 3-year term if the head of the Federal agency from which he transferred consents to that coverage.

#### REPEAL PROVISION

SEC. 7. Section 6 (a) of the International Atomic Energy Agency Participation Act of 1957 (22 U. S. C. 2025 (a)), is repealed except that it shall be considered to remain in effect with respect to any employee subject thereto who is serving as an employee of the International Atomic Energy Agency on the date of enactment of this act and who does not make the election referred to in section 6, and for the purposes of any rights and benefits vested thereunder prior to such date.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### RETIREMENT BENEFITS OF CERTAIN RURAL LETTER CARRIERS

The Clerk called the bill (H. R. 11165) to accord coverage under the Civil Service Retirement Act to certain temporary rural carriers who served in the period from October 23, 1943, to March 5, 1946.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 3564, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. HENDERSON. Reserving the right to object, Mr. Speaker, may we have an explanation of this bill?

Mr. MURRAY. Mr. Speaker, this bill accords retirement coverage to a very small number of rural carriers who served under temporary war service appointments in the period October 23, 1943, to March 5, 1946. Executive Order No. 9378, September 23, 1943, authorized conversion of all rural carriers in this category to "war service indefinite" appointments entitling them to retirement coverage. Practically all of these rural carriers were converted. However, a very small group—estimated to be no more than one-half dozen or 10—were not converted due to error on the part of their postmasters in failing to act pursuant to Executive order.

S. 3564 will provide retirement coverage for this small group on the same basis as such coverage has been extended to the remainder of the general class of rural carriers involved.

Mr. HENDERSON. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That, for the purposes of the Civil Service Retirement Act, as in effect prior to, on, or after the date of enactment of this act, if retirement deductions were made from the basic salary of a temporary rural carrier in the field service of the Post Office Department at any time within the period from October 23, 1943, to March 5, 1946, both dates inclusive, such person shall be held and considered to have received an indefinite war service appointment as of the first date on which any such deduction was made.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 11165) was laid on the table.

#### MAINTAINING CERTAIN EXISTING POSTAGE RATES

The Clerk called the bill (H. R. 13555) to maintain existing minimum postage



rates on certain publications mailed for delivery within the county of publication.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 4191, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That section 2 (c) of the act of October 30, 1951 (65 Stat. 673; 39 U. S. C. 289a), as amended by the act of May 27, 1958 (72 Stat. 139; Public Law 85-426), is amended by inserting after the words "this section" the following: "and on each individually addressed copy of a publication of the second class addressed for delivery within the county of publication and not entitled to the free-in-county mailing privilege."

Mr. MURRAY. Mr. Speaker, this legislation will amend the Postal Rate Pay Act—Public Law 84-426—so as to continue the one-eighth cent per piece minimum on publications mailed for delivery within county of publication but not entitled to free-in-county mailing.

The postal rate bill, H. R. 5836, as passed by the House last year, exempted these publications from an increase in their per piece minimum. The Senate-passed bill omitted this exemption. The committee of conference, in arriving at an overall "package" agreement on second- and third-class rates, did not discuss this particular difference in the House and Senate versions. The conference agreement contained the Senate

language which had the effect of increasing the one-eighth cent minimum along with all other second-class minimum per piece charges, although such an increase was not provided in the House-passed bill. As shown in the statement of the managers on the part of the House reporting the conference agreement on the postal rate bill, it was the intention of the House conferees to continue the existing one-eighth cent minimum per piece charge on all publications mailed for delivery within the county of publication. However, the language of the bill itself has been interpreted as not permitting continuance of that rate.

S. 4191 will place in effect the policy adopted by this committee and the House upon approval of the postal rate bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 13555) was laid on the table.

#### ACCEPTANCE OF DECORATIONS FROM FOREIGN COUNTRIES

The Clerk called the bill (S. 3195) to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, I wonder if someone on the committee could tell me what presents and medals are to be covered by this legislation.

Mr. BYRNES of Wisconsin. The committee report sets forth the names of the individuals. My understanding is that there are various awards, such as the Grand Cross Isabella la Catolica of Spain and the Cross of Commander of the Royal Order of George I, of Greece, and other similar awards.

Mr. GROSS. What is the limitation on the presents, the gifts?

Mr. BYRNES of Wisconsin. These are items the committee sets forth. The awards involve a medal of some kind in each case.

Mr. GROSS. Are there gifts in connection with these awards?

Mr. BYRNES of Wisconsin. I am not a member of the committee.

Mr. MORGAN. There are four watches involved here.

Mr. GROSS. Are they wrist watches, pocket watches, or what?

Mr. MORGAN. They are pocket watches and they have been in the storage room of the Department of State for a good many years.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the following named retired personnel of the Government of the United States are hereby authorized to accept and wear such decorations, orders, medals, emblems, presents, and other things as have been tendered as of the date of approval of this Act by the foreign government or foreign governments immediately following their names, and that the consent of Congress is hereby expressly granted for this purpose as required under clause 8 of section 9, article I, of the Constitution of the United States:

#### MEMBERS OF CONGRESS

Name	Date of retirement	Donor government	Award	Remarks
Brewster, Ralph Owen.....	Dec. 31, 1952	Philippines.....	Military Merit Medal.....	For service to the Philippines.
Johnson, Edwin C.....	Jan. 2, 1955	Italy.....	Star of Italian Solidarity, Second Class.....	For service to Italy.

#### WHITE HOUSE

Crim, Howell G.....	Dec. 31, 1957	Belgium.....	Regent's Medal First Class.....	Token of good will.
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#### UNITED NATIONS

Austin, Warren R.....	Jan. 22, 1953	Cuba.....	National Order of Merit, Carlos Manuel de Cespedes.	Token of good will.
		Dominican Republic..	National Order of Merit, Juan Pablo Duarte.	Token of good will.

#### DEPARTMENT OF AGRICULTURE

Bishopp, Fred C.....	June 30, 1953	Great Britain.....	King's Medal for Service in the Cause of Freedom.	For perfecting DDT, an insecticide.
Gray, Roy B.....	May 31, 1954	France.....	Order of Officer du Merite Agricole.....	For advisory service to Dr. Oleg Yadoff in connection with dust insecticides and fungicides.
Kotok, Edward I.....	May 31, 1951	France.....	Croix du Chevalier de la Merite Agricole.....	In recognition for forestry work and for interest in international forestry.
McDonald, Murl.....	Aug. 31, 1953	Lebanon.....	Medal of Merit.....	In recognition for pioneer program in Lebanon of tests and demonstrations in forage crops to increase the supply of food for livestock.
Potter, Charles E.....	Aug. 31, 1951	Latvia.....	Order of Three Stars, Officer's Cross.....	In appreciation for valuable service rendered in fostering friendly relations between Latvia and the United States, particularly in the field of 4-H Club work.
Warren, Gertrude L.....	Dec. 19, 1952	Latvia.....	Order of Three Stars.....	In appreciation for valuable service rendered in fostering friendly relations between Latvia and the United States, particularly in the field of 4-H Club work.
Watts, Lyle F.....	June 30, 1952	France.....	Croix du Chevalier de la Merite Agricole.....	In recognition for forestry work and for interest in international forestry.
Wilson, Dr. Milburn L.....	June 30, 1953	France.....	Officer of the Merite Agricole.....	Honored for his contributions to agriculture.







Public Law 85-795  
85th Congress, S. 4004  
August 28, 1958

AN ACT

72 Stat. 959.

To encourage and authorize details and transfers of Federal employees for service with international organizations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Federal Employees International Organization Service Act."

Federal Employees International Organization Service Act.

DEFINITIONS

SEC. 2. As used in this Act—

(1) "International organization" means every public international organization or international-organization preparatory commission in which the United States Government participates.

(2) "Federal agency" means any department or agency in the executive branch of the United States Government including independent establishments and Government owned or controlled corporations, and any employing authority in the legislative branch of the United States Government.

(3) "Employee" means any civilian appointive officer or employee in or under the executive, or the legislative branch of the United States Government.

(4) "Congressional employee" means those included in the definition of that term contained in the Civil Service Retirement Act.

70 Stat. 743.

(5) "Transfer" means the change of position by an employee from a Federal agency to an international organization.

5 USC 2251

et seq.

(6) "Detail" means the assignment or loan of an employee to an international organization without the employee's transfer from the Federal agency by which he is employed.

(7) "Reemployment" means either the reemployment of an employee pursuant to section 4 (a) (5), or the reemployment of a Congressional employee within ninety days from the date of his separation from the international organization, following a term of employment not extending beyond the period specified by the head of the Federal agency at the time of consent to transfer or, in the absence of such a specified period, not extending beyond the first three consecutive years of his entering the employ of the international organization.

DETAILS

SEC. 3. (a) The head of any Federal agency is authorized to detail for a period not exceeding three years any employee of his department or agency to an international organization requesting services.

(b) Any employee while so detailed shall be considered for the purpose of preserving his allowances, privileges, rights, seniority, and other benefits, to be an employee of the Federal agency from which detailed and he shall continue to receive compensation, allowances, and benefits from funds available to that agency. The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 1765 of the Revised Statutes.

5 USC 70.

(c) Details may be made under this section—

(1) without reimbursement to the United States by the international organization; or

(2) with agreement by the international organization to reimburse the United States for compensation, travel expenses, and allowances, or any part thereof, payable during the period of detail in accordance with subsections (a) and (b), and such reim-

bursment shall be credited to the appropriation, fund, or account utilized for paying such compensation, travel expenses, or allowances.

62 Stat. 793.

(d) Nothing in section 1914 of title 18, United States Code, relative to augmenting salaries of Government employees shall prevent an employee detailed under this section from being paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail.

#### TRANSFERS

SEC. 4. (a) Notwithstanding the provisions of any law, Executive order, or regulation, any employee serving under a Federal appointment not limited to one year or less who transfers to an international organization is entitled to the following, if the transfer is made with the consent of the head of his agency, except that the provisions of paragraph (5) relating to reemployment rights, and the provisions of paragraph (6) relating to rates of basic compensation payable upon reemployment shall not apply to Congressional employees:

Retirement.

(1) To retain coverage and all rights and benefits under any system established by law for the retirement of civilian employees of the United States, if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the system's fund or depository, and for such purpose service as an officer or employee of the international organization shall be considered to be creditable service under any such system.

Life insurance.  
68 Stat. 736.  
5 USC 2091  
note.

(2) To retain coverage and all rights and benefits under the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C., ch. 24), if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the Employees' Life Insurance Fund created by section 5 (c) of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C. 2094 (c)), and for such purpose service as an officer or employee of the international organization shall be considered to be service as an officer or employee of the United States.

Disability  
compensation.  
39 Stat. 742.  
63 Stat. 854.  
5 USC 751 note.

(3) To retain coverage and all rights and benefits under the Federal Employees' Compensation Act, as amended (5 U. S. C., ch. 15), and for this purpose his employment with the international organization shall be deemed to be employment by the United States. However, in any case in which the injured employee, or his dependents in case of death, receives from the international organization any payment (including any allowance, gratuity, payment under an insurance policy for which the premium is wholly paid by that organization, or other benefit of any kind), on account of the same injury or death, the amount of such payments shall be credited against any benefits payable under the Federal Employees' Compensation Act as follows: (A) payments on account of injury or disability shall be credited against disability compensation payable to the injured employee; and (B) payments on account of death shall be credited against death compensation payable to dependents of the deceased employee.

Annual leave.

(4) To elect to retain to his credit all accumulated and current accrued annual leave to which entitled at the time of transfer to an international organization which would otherwise be liquidated by a lump-sum payment. On the request of an employee at any time prior to reemployment, payment shall be made for all of the leave retained. In any case in which an employee receives a lump-sum payment and reemployment occurs within six months following the date

of the transfer, such employee shall refund to the Federal agency the amount of the lump-sum payment. This subsection shall under no circumstances operate so as to cause a forfeiture of retained leave following reemployment or to deprive an employee of any lump-sum payment to which he would otherwise be entitled.

(5) To be reemployed within thirty days of his application for reemployment in his former position or a position of like seniority, status, and pay in the agency from which he transferred, if he is separated from the international organization within three years after the date on which he entered on duty with the international organization, or within such shorter period as may be specified by the head of the Federal agency at the time of consent to transfer, and he applies for reemployment not later than ninety days after the separation. Reemployment rights.

(6) Upon reemployment, to the rate of basic compensation to which he would be entitled had he remained in the Federal service. Upon reemployment, the sick leave account of the employee shall be restored by credit or charge to its status at the time he left the Federal service; and the period of separation caused by his employment with the international organization and the period necessary to effect reemployment shall be considered creditable service for all appropriate Federal employment purposes. Sick leave.

(b) During the employee's period of service with the international organization, the agency contribution for retirement and insurance purposes may be made from the appropriations or funds of the Federal agency from which the employee transferred. Agency contributions.

(c) All computations under this Act prior to reemployment shall be made in the same manner as if the employee had received basic compensation (or basic compensation plus additional compensation in the case of a congressional employee) at the rate at which it would have been payable had the employee continued in the position in which he was serving at the time of his transfer. Rate of compensation.

(d) The provisions of this section shall apply only with respect to so much of any period of employment with an international organization as does not exceed three years or such shorter period as may be specified by the head of the Federal agency from which the employee is transferred at the time of consent to transfer, except that for retirement and insurance purposes this section shall continue to apply during the period in which a congressional employee is effecting or could effect a reemployment or an employee other than a congressional employee is properly exercising or could exercise the reemployment right established by subsection (a) (3). During that reemployment period, the employee shall be considered to be on leave without pay for retirement and insurance purposes. Applicability.

REGULATIONS

SEC. 5. The President is authorized to prescribe the necessary rules and regulations to carry out the provisions of this Act and to protect and assure the retirement, insurance, leave, and reemployment rights and such other similar Federal employment rights as he may find appropriate. These regulations may provide for the exclusion of employees from coverage hereunder on the basis of the nature and type of employment such as, but not limited to, excepted appointments of a confidential or policy-determining character, or conditions pertaining to the employment such as, but not limited to, short-term appointments, seasonal or intermittent employment, and part-time employment.



EFFECTIVE DATE

3 CFR, 1943-1948  
Comp., p. 528.

3 CFR, 1950 Supp.,  
p. 81.

71 Stat. 453.

22 USC 2021 note.

SEC. 6. This Act shall take effect on the date of its enactment except that any present employee of an international organization who entered on duty with the organization by transfer under Executive Order 9721 of May 10, 1946, as amended by Executive Order 10103 of February 1, 1950, or under the International Atomic Energy Agency Participation Act of 1957, not earlier than three years prior to the date of enactment, may elect to have coverage hereunder for the remainder of the three-year term if the head of the Federal agency from which he transferred consents to that coverage.

REPEAL PROVISION

SEC. 7. Section 6 (a) of the International Atomic Energy Agency Participation Act of 1957 (22 U. S. C. 2025 (a)), is repealed except that it shall be considered to remain in effect with respect to any employee subject thereto who is serving as an employee of the International Atomic Energy Agency on the date of enactment of this Act and who does not make the election referred to in section 6, and for the purposes of any rights and benefits vested thereunder prior to such date.

Approved August 28, 1958.



